

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1683/2023

Jagesh Kavale and others

...Versus...

State of Maharashtra, through its Secretary, Revenue and Forest Department,
Mantralaya, Mumbai -32 and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri A.R. Ingole, Advocate for petitioners
Ms Tajwar Khan, AGP for respondent nos.1 to 4/State

CORAM : AVINASH G. GHAROTE, J.

DATE : 21/03/2023

1. Heard Shri A.R. Ingole, learned counsel for the petitioners.
2. Issue notice for final disposal to the respondents, returnable forthwith.
3. Assistant Government Pleader Ms Tajwar Khan waives service of notice for the respondents/State.
4. The petition challenges the order dated 15/02/2023 (pg.19), whereby a penalty of Rs.69,300/- has been imposed for illegal transportation of minor mineral.

5. Shri A.R. Ingole, learned counsel for the petitioners states that he has already deposited the penalty of Rs.69,300/- with the Tahsildar, Hinganghat on 20/03/2023 and tenders a photocopy of Chalan on record, which is taken on record and marked "X" for identification purpose.

6. The Tahsildar, Hinganghat is directed to release the vehicle, in case no proceedings are pending before the Sub-Divisional Officer, for imposition of penalty on the vehicle.

7. The writ petition is disposed of in the above terms. No order as to costs.

8. It is made clear that in case the said vehicle is found to be involved in similar offence again, the authorities will be justified in confiscation of the same.

(AVINASH G. GHAROTE, J.)

Wadkar