

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

WRIT PETITION NO. 3974 OF 2023

(Sandip Wamanrao Tarhekar Vs. State of Maharashtra & Ors.)

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

Court's or Judge's order

Shri A.R. Ingole, Advocate for the petitioner.

Shri A.A. Madiwale, Assistant Government Pleader for the respondents.

CORAM : A. S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE : JUNE 28, 2023

The petitioner seeks invocation of extraordinary jurisdiction by alleging that his vehicle that was carrying sand was illegally detained in contrary to the provisions of Section 48(8) of the Maharashtra Land Revenue Code, 1966 (for short "the Code").

2] *Prima facie*, the permit granted to the petitioner was for a quantity of 8 brass of sand while according to the petitioner's communication dated 22/6/2023, he was carrying excess sand of 4 brass.

3] In these facts, we are inclined to relegate the petitioner to the statutory remedy that is available under Section 48(8) of the Code. Keeping the points raised in the Writ Petition open, the petitioner is at liberty to avail such remedy.

4] The Writ Petition is disposed of.

(MRS. VRUSHALI V. JOSHI, J.)

(A. S. CHANDURKAR, J.)

SUMIT