

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

**WRIT PETITION NO.4324/2023**

**PETITIONER :** Nasir Yusuf Khan,  
Aged 53 years, Occ : Business,  
R/o Rizvi Colony, Court – Z.P Road,  
Camp, Amravati.

**...VERSUS...**

**RESPONDENTS :** 1. State of Maharashtra,  
In the Ministry of Revenue & Forest,  
Mantralaya, Mumbai -32  
Through its Secretary.

2. District Collector, Amravati.

3. Sub-Divisional Officer, Amravati,  
Tah. And District Amravati.

4. Tehsildar, Amravati  
Tah. And District Amravati.

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Shri V.S. Kukday, Advocate for petitioner  
Mrs. M.A. Barabde, AGP for respondents  
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**CORAM : AVINASH G. GHAROTE, J.**

**DATE : 13/07/2023**

**ORAL JUDGMENT**

1. Heard. Rule. Rule made returnable forthwith. Learned  
Assistant Government Pleader Mrs. M.A. Barabde waives service of

notice for the respondents on merits. Heard finally with the consent of the learned counsels for the rival parties.

2. The material in question is Gitti, which is covered by the judgment of this Court in Writ Petition No.138/2022 (***Milind Chandrabhan Telgote and another Vs. The State of Maharashtra, through its Secretary, Revenue and Forest Department, Mantralaya, Mumbai – 400 032 and others, decided on 30/03/2022***), which position is not disputed by the learned Assistant Government Pleader, in view of which, the impugned order is hereby quashed and set aside and the respondents are directed to release the vehicle i.e. Tipper bearing registration No.MH-31-FC-3944 as well as the material in favour of the petitioner.

3. Rule is made absolute in the aforesaid terms. No order as to costs.

(AVINASH G. GHAROTE, J.)

Wadkar