



(1)

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

40 WRIT PETITION NO. 1430 OF 2024

DNYANESHWAR BANSILAL DEORE
VERSUS

THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND ANOTHER

....

Mr B. S. Deshmukh, Advocate for Petitioner;
Mr A. B. Girase, G.P. for Respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 5th February, 2024

PER COURT:

1. The Petitioner has put forth prayer clause (B), which reads as under :-

“B) The Hon’ble High Court may be pleased to issue a writ of Mandamus or any other appropriate writ, direction or order, thereby direct the respondent No.2 to re-calibrate of vehicle no. MH-18-BZ-9393 as requested by petitioner and further be directed that, if the weight found up to permissible limit, then the respondent no.2 shall release the vehicle immediately by recalling the impugned show cause notice issued by respondent no.2 dtd. 25/01/2024 and consequential order, if any passed in furtherance.”

2. A sound statement is made that the Tahsildar has yet not proceeded with the matter and a final order in the pending proceeding has not been passed.

(2)

3. In view of the above, **this Writ Petition is disposed off**, with a direction to the Competent Authority to carry out the re-calibration of the vehicle mentioned above in the prayer clause, on or before 16/02/2024. If the weight of the contents of the vehicle is found to be within the permissible limits, appropriate orders for releasing the said vehicle, subject to the appropriate conditions, may be passed.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk