



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 WRIT PETITION NO. 3027 OF 2024

HARSHVARDHAN AJAY SURYAWANSHI

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR AND ANOTHER

Mr.A.S. More, Advocate for the Petitioner.

Mr.S.K. Tambe, AGP for the Respondent/State.

CORAM : RAVINDRA V. GHUGE &
R.M. JOSHI, JJ.

DATED : 19.03.2024

PC :-

01. The prayer of the Petitioner for recalibration has been refused by Respondent No.2-Authority, which has rejected the Interim Application in RTS Appeal No.17 of 2024 by the impugned order dated 27.02.2024.

02. This Court has been routinely passing orders directing Authorities to recalibrate the vehicle if the proceedings are pending. If the proceedings before the Tahsildar culminate into a final order and an RTS Appeal is to be filed, we grant liberty to such litigants to prefer an Application seeking recalibration along with the RTS Appeal. It is in the light of this position that the Petitioner moved an Interim Application for recalibration.

03. In view of the above, **this Writ Petition is partly allowed.** The order dated 27.02.2024 to the extent of refusing recalibration, is set aside. We direct Respondent No.2 to reconsider the request for recalibration and grant the same, so as to recalibrate the vehicle within a period of 15 days from today and if the weight is within permissible limits, the vehicle may be released subject to imposition of such conditions as the concerned Authority would deem appropriate.

[R.M. JOSHI,J.]

[RAVINDRA V. GHUGE,J.]