



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7588 OF 2024

RUSHIKESH VIJAY SAWALA

VERSUS

THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND ANOTHER

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Mr. B. S. Deshmukh, Advocate for the Petitioner

Mr. M. M. Nerlikar, AGP for the Respondent – State

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

DATE : 02.08.2024

PER COURT :-

1. On 24.07.2024, we had passed an order, which is signed and uploaded. On 01.08.2024, the learned Advocate for the Petitioner prays that the said order be recalled, since the Petitioner desires to approach the Appellate Authority and also file an application for recalibration of the seized vehicle.

2. In view of the above and in the peculiar circumstances that the Petitioner has prayed for recalling of the order, that the said order dated 24.07.2024 is re-called. **The Writ Petition is disposed off** by consent.

3. If the Petitioner prefers the statutory appeal before the Appellate Authority within 15 days, the time spent by the Petitioner in this Court from 18.07.2024 till today, shall be taken into account for condonation of delay. If an application for recalibration of the vehicle is filed, the concerned authority can direct recalibration within 10 days from the date of receipt of the application. If the weight of the vehicle is found to be within the permissible limit, the same can be released by following the due procedure laid down in law and by imposing such conditions as are normally done.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

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