



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

**WRIT PETITION NO. 13339 OF 2023
WITH
CIVIL APPLICATION NO.14787 OF 2023**

**KESHAV SHIVAJI KARALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS**

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Mr. Panditrao S. Anerao, Advocate for Petitioner
Mr. S. B. Narwade, AGP for Respondent Nos. 1 to 4

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

DATE : 19.01.2024

PER COURT :-

1. Heard for some time.
2. The Petitioner is before us against a show cause notice dated 03.08.2023, by which a total amount of Rs.12,57,111/- is to be recovered from him as penalty for purportedly illegally transporting minor minerals. The sand and the three vehicles have been seized. The Petitioner has paid an amount of Rs.8,00,000/- (Rupees Eight Lakh) and odd and the minor minerals and the JCB

machines have been released. His two Hywa Tippers (truck mounted containers) are seized by the Tahsildar.

3. On instructions, the Petitioner agrees to deposit Rs.1,00,000/- with reference to each of these two vehicles, before the Tahsildar. If a final order on the show cause notice is not passed, he would appear before the Tahsildar and submit his reply along with an application for releasing of the two vehicles with Demand Drafts of Rs.1,00,000/- (Rupees One Lakh) each. If a final order has already been passed by the Tahsildar, he would approach the Appellate Authority by preferring an Appeal along with an application for releasing the two vehicles with Demand Drafts of Rs.1,00,000/- (Rupees One Lakh) each.

4. If the Petitioner places before the Tahsildar or the Appellate Authority, as the case may be, the Demand Drafts of Rs.1,00,000/- (Rupees One Lakh) each, the said authority would pass appropriate orders for releasing the said vehicles by imposing certain conditions as may be prescribed in law. The proceedings thereafter would be decided on their own merits.

5. With the above directions, **this Writ Petition is disposed off.**

6. The **Civil Application** would not survive and stands disposed off.

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

SMS