KANCHAN VINOD MAYEKAR
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9702 OF 2024

Sagar Mahadev Madane ..... Petitioner
VERSUS
The State of Maharashtra & Ors. ..... Respondents

ALONGWITH
WRIT PETITION NO. 9703 OF 2024

Ramchandra Vitthal Didwagh ..... Petitioner
VERSUS
The State of Maharashtra & Ors. ..... Respondents

ALONGWITH
WRIT PETITION NO. 9705 OF 2024

Maruti Gangaram Gorad & Anr. ..... Petitioners
VERSUS
The State of Maharashtra & Ors. ..... Respondents

ALONGWITH
WRIT PETITION NO. 9707 OF 2024

Popat Bapu Narbat ..... Petitioner
VERSUS
The State of Maharashtra & Ors. ..... Respondents

ALONGWITH
WRIT PETITION NO. 9708 OF 2024

Jalinder Kisan Kale ..... Petitioner
VERSUS
The State of Maharashtra & Ors. ..... Respondents

ALONGWITH

WRIT PETITION NO. 9710 OF 2024

Nilesh Pandurang Sawant ..... Petitioner
VERSUS
The State of Maharashtra & Ors. ..... Respondents

ALONGWITH
WRIT PETITION NO. 9713 OF 2024

Amol Vishnu Raskar ..... Petitioner
VERSUS
The State of Maharashtra & Ors. ..... Respondents

Mr. Vivek V. Salunke for the Petitioners in all writ petitions.

Mr.Siddheshwar B. Kalel, A.G.P. for the State in all writ petitions.

CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ

DATE : 19th JULY, 2024

P.C. :-

Rule. Rule made returnable forthwith and heard learned counsel for the parties.

2. The grievance raised in all these writ petitions is against the action initiated by the 4th respondent – Tahsildar in seizing and confiscating the vehicle of each petitioner on the premise that minor minerals were being transported therein in a manner

contrary to Section 48 of the Maharashtra Land Revenue Code, 1966. It is common ground that the initial order passed by the Sub-Divisional Officer has been subsequently set aside by the Collector on 16th May, 2024 in appeals preferred under Section 247 of the Code. The proceedings have been remanded to the Tahsildar for fresh enquiry.

3. In the light of the aforesaid, the interest of justice would be served by directing each petitioner to furnish a bond before the Nayab Tahsildar stating therein that the vehicle would be produced as and when required during the course of the proceedings.

4. Accordingly, the following order is passed :-

(a) On each petitioner executing a bond to the aforesaid effect and submitting the same before the Tahsildar – respondent no.4, the vehicle of each petitioner shall be released. The proceedings that have been remanded, shall be decided on their own

merits and in accordance with law.

5. Rule is made absolute in the aforesaid terms. No costs.

[RAJESH S. PATIL, J.] **[A.S. CHANDURKAR, J.]**