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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9654 OF 2024

Ganesh s/o. Raosaheb Jadhav

..... Petitioner

VERSUS

The State of Maharashtra & Anr.

..... Respondents

Mr. Anshuman Deshmukh for the Petitioner.

Mr. N. C. Walimbe, Addl. G.P., a/w. Mr. S. P. Kamble, A.G.P. for the Respondent.

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

DATE : 1st OCTOBER, 2024

P.C. :-

The learned counsel for the petitioner by placing reliance on the order dated 8th August 2024 passed in *Writ Petition No. 11326 of 2023 (Dnyaneshwar Santosh Salunkhe @ Patharvat vs. The State of Maharashtra & Ors.)* decided at the Aurangabad Bench submits that he has purchased the subject vehicle on 5th September 2023. On the basis of the bond executed by the original owner on 12th February 2016 the petitioner is being

saddled with the liabilities.

2. From the impugned order dated 29th May 2024, it is clear that the vehicle in question was found carrying Murum on 4th May 2024 when the petitioner was its owner. Hence, the ratio of the aforesaid decision cannot apply to the case in hand.

3. The remedy of approaching the Collector under the provisions of Section 247 of the Maharashtra Land Revenue Code, 1966 is available to the petitioner. The learned counsel seeks time to urge that the said remedy is not efficacious. Hence, stand over to 9th October 2024.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]