



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition (WP) No. 2226 of 2024

Kiran W/o Baban Chauhan

Versus

The Additional Commissioner (Amravati Division), Amravati and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Raju Kadu, Advocate for the petitioner.

Ms. Prachi Joshi, AGP for the respondent/State.

CORAM : N.R.BORKAR, J.

DATED : 14th NOVEMBER, 2024.

This petition takes exception to the interim order dated 4th December, 2023 passed by the respondent no.1-Additional Commissioner, Amravati Division, Amravati in Appeal No. 357/MNL-37/Pusad/2023.

2. The petitioner has filed appeal before the respondent no.1 against the order of imposition of penalty of Rs.11,72,880/-. The said penalty is imposed on the petitioner for her alleged involvement in illegal excavation and transportation of the sand.

3. By the order impugned, respondent no.1 has directed the present petitioner to deposit 25% of penalty

amount for release of the vehicle owned by the petitioner.

4. I have heard the learned counsel for the petitioner and perused the impugned order.

5. It appears that initially penalty only of Rs.43,440/- was imposed. In that view of the matter, the respondent no.4-Tehsildar, Pusad shall release the vehicle owned by the petitioner on execution of the personal bond in terms of Section 48(8)(2) of the Maharashtra Land Revenue Code, 1966 and subject to deposit of Rs.1,50,000/- by the petitioner at the office of Tehsildar, Pusad.

6. The respondent no.1 - Additional Commissioner, Amravati Division, Amravati shall endeavour to decide the appeal filed by the present petitioner within a period of three months from the date of receipt of the copy of this order.

7. Needless to mention that respondent no.1 shall pass appropriate order in relation to the amount, if deposited by the petitioner, at the time of deciding the appeal.

8. The writ petition is disposed of in aforesaid terms.

[N.R.BORKAR, J.]