



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

WRIT PETITION NO. 3865 of 2024

Ranjit Sahebrao Bhokse

vs.

The Additional Collector, 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

Mr. A.R.Ingole, Advocate for petitioner.

Mr. A. M. Kadukar, Assistant Government Pleader for respondent nos.1 to 5.

CORAM :- NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE :- 9th JULY, 2024

P C.

Heard.

2. A challenge in this petition is to the order dated 11.06.2024 passed by the respondent no.3-Tahsildar, Nandgaon Khandeshwar whereby the vehicle of the petitioner was seized for not producing the royalty pass.

3. The respondent no.3-Tahsildar has claimed that an opportunity was offered to the petitioner and he has submitted his reply on record. However, the said fact is disputed by the petitioner.

4. We have considered the signature on the reply so also the affidavit duly sworn by the petitioner which is not matching.

5. Such verification is permissible in view of the provisions of the Evidence Act, 1872.

6. Apart from above, the fact remains that what has been stated in the reply by the petitioner is not dealt with by the Tahsildar in the order impugned. As such, the impugned order suffers from non-application of mind.

7. That being so, the order impugned dated 11.06.2024 is hereby quashed and set aside. The petitioner agrees that he shall be appearing before the respondent no.3-Tahsildar, Nandgaon Khandeshwar, on **12.07.2024**. The said Authority to pass a fresh order after hearing the petitioner.

8. We also permit the respondent to furnish GPS location of the vehicle of the petitioner.

9. With these directions, the writ petition stands disposed of. No costs.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.