



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

Writ Petition No.5516/2024
(Shubham V Additional Collector, Yavatmal and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A.R. Ingole, Advocate for petitioner.
Ms P. Joshi, AGP for resp. nos.1 to 3.

CORAM : N.R. Borkar, J.
DATE : 13-09-2024.

Issue notice to the respondents, returnable on
14-10-2024.

ii. Learned Assistant Government Pleader, waives
service of notice on behalf of respondent nos.1 to 3.

iii. The learned Counsel for the petitioner submits
that the petitioner, without prejudice to his rights, is willing
to deposit 50% of the penalty amount. It is submitted that
subject to the said deposit the auction of the vehicle in
question be stayed and it be released in favour of the
petitioner, as the livelihood of the petitioner is dependent
upon the said vehicle.

iv. Learned Assistant Government Pleader for the
respondents submits that, as the petitioner has not paid the

penalty amount of Rs.1,11,160/- and thus the vehicle in question is put to auction.

v. Considering the facts and circumstances, the following order is passed :-

(a) The auction of the vehicle in question is stayed, subject to deposit of Rs. 75,000/- by the petitioner with the office of respondent No.3-the Tahsildar, Yavatmal.

(b) The vehicle in question shall be released in favour of the petitioner on execution of bond in terms of Section 48(8)(2) of the Maharashtra Land Revenue Code, 1966.

(N.R. Borkar, J.)