



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

76 WRIT PETITION NO. 80 OF 2025

PRADIP BAJIRAO NIKAM

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

Mr.A.B.Kharosekar, Advocate for the petitioner.

Mr.P.D. Patil, AGP for the respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 13.01.2025

PC :-

01. This petition is filed challenging notice dated 11.12.2024 passed by learned Tahsildar and Executive Magistrate, Sangamner as to why no action be taken and impose penalty for illegally excavating and transporting sand.

02. Learned Advocate for the petitioner submits that this notice is without any authority. Now even amended show cause notice is issued dated 18.12.2024. The penalty imposed is Rs.12,600/-.

03. Since remedies are available to challenge the notice, this Court is not inclined to interfere with the notice. The only prayer of the petitioner is that presently the vehicle is seized and same be released.

04. If the petitioner deposits the penalty as per the amended notice dated 18.12.2024, the Authorities to release the vehicle. The deposit of penalty amount shall be without prejudice to the rights of any

of the parties. The petitioner is at liberty to challenge notice dated 18.12.2024 or the subsequent proceeding by filing appropriate proceeding. The penalty amount be deposited with the Tahsildar, Sangamner.

05. The writ petition is accordingly disposed off.

[KISHORE C. SANT, J.]