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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

52 WRIT PETITION NO. 1589 OF 2025

BHUSHAN DEVIDAS PATIL

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
NANDURBAR AND OTHERS

Mr.A.S.More, Advocate for the petitioner.

Ms.VN.Patil-Jadhav, AGP for the respondent/State.

(CORAM : MANGESH S. PATIL AND
PRAFULLA S. KHUBALKAR, JJ.)

DATE : FEBRUARY 3, 2025

PER COURT :

1. Heard both the sides. The petitioner is seeking refund of 25% of the fine amount deposited by him, pursuant to recalibration undertaken by the respondent / Sub Divisional Magistrate, in a proceeding under Section 48 of the Maharashtra Land Revenue Code which decision he had taken pursuant to the directions of this Court in the matter of similarly placed individual in WP No.3042/2024 and the order passed therein on 19.03.2024. It is being pointed out that though after recalibration, the petitioner's vehicle was found to be within the permissible weight, the order of refund has not been passed

by observing that there was no similar direction.

2. The writ petition is allowed. Respondent No.2 shall refund the 25% of penalty deposited by the petitioner forthwith.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)