



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

1 WRIT PETITION NO. 8419 OF 2025

DADA EKNATH DUBELE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS**

...

Advocate for the Petitioner : Mr. Apparao Bhimrao Kharosekar
AGP for Respondent/State: Mr. P. D. Patil

...

WITH

...

WRIT PETITION NO. 8420 OF 2025

SANJAY BHHUJANG CHAVAN

VERSUS

**THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS**

...

Advocate for the Petitioner : Mr. Apparao Bhimrao Kharosekar
AGP for Respondent/State: Mr. P. D. Patil

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 13.10.2025

PER COURT:

1. Heard.

2. The petitions are identical and the same are decided together as the impugned orders are passed by the same authority i.e. The Sub-Divisional Officer, Vaijapur, dated 27.06.2025 in identical facts. The facts are taken up from Writ Petition No.8419 of 2025.

3. The petitioner challenges the impugned order dated 27.06.2025, wherein the notice is issued under Section 48(7) & (8) for illegal usage of JCB bearing no.MH20as 4164 for extraction of minor mineral. The learned counsel for the petitioner submits that the JCB is seized on 20.06.2025 and there has been no further adjudication in the matter.

4. The learned counsel for the petitioners submits that the detention of the JCBs is creating financial hardships and he submits that even if the final order is passed against the petitioners that on appeal he contends that on payment of 25% of the notice amount the seized vehicle can be released. He submits that during pendency of the proceedings before the Sub-Divisional Officer that the JCBs be released. He submits that the JCBs were never seized in any earlier offence.

5. Considering the above submissions and that the seizure of the JCBs in Writ Petition No.8419 of 2025 bearing no.MH-20-AS-4134 & in Writ Petition No.8420 of 2025 bearing no. MH-20-EE-7285 from 20.06.2025 would not benefit either of the parties.

6. Considering the pendency of the proceedings, the vehicle / JCBs in respective matters shall be released on payment of 25% of alleged notice amount of Rs.7,50,000/- in each matter,

subject to an usual undertakings in respective matters ,which the authorities take while releasing the vehicle.

7. With the above observations, the Writ Petitions stand disposed of.

[ARUN R. PEDNEKER, J.]

marathe