



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

3 WRIT PETITION NO. 9568 OF 2025

BALASAHEB JANARDHAN MURDARE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Advocate for the Petitioner : Mr. Apparao Bhimrao Kharosekar
AGP for Respondent/State Mr. K. N. Lokhande

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CORAM : ARUN R. PEDNEKER, J.

DATE : 13.10.2025

PER COURT:

1. Heard.
2. The learned counsel for the petitioner submits that is Hyva was seized by the authorities on 15.07.2025 and show cause notice was issued as to why penalty should not be imposed on the petitioner for illegal usage of the Hyva for transportation of minor mineral.
3. The learned AGP submits that in the meanwhile final order is passed in the matter.
4. The learned counsel for the petitioner submits that in view of the provision of Section 256 (2) of the Act, the vehicle can

be released during pendency of the appeal on the amount being paid of 25% of the penalty imposed.

5. Considering the facts of the case that the vehicle stands seized for long period of time, liberty is granted to the petitioner to move the appropriate application in the appeal and in the event such an appeal is filed and application is filed for release of the vehicle, the same may be released on usual undertaking and on deposit of 25% penalty imposed.

6. The Writ Petition stands disposed of accordingly.

[ARUN R. PEDNEKER, J.]

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