



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

Writ Petition No.2694 of 2021

Taufaque Ahemad s/o Shaikh Arif vs. State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Ms. R.V. Kukday, Advocate for the Petitioner.
Mr. K.R. Lule, A.G.P. for the Respondents.

CORAM : ANIL L. PANSARE, J.

DATE : 22nd APRIL, 2025.

This Court in Writ Petition No.8424 of 2018 (*Gufran Khan Rahmatullah Khan vs. State of Maharashtra and others*) and Writ Petition No.2623 of 2022 (*Salman Illiyas Kha Pathan vs. State of Maharashtra and others*) held that Police Authorities have no jurisdiction under Section 48(7) of the Maharashtra Land Revenue Code, 1966 (*hereinafter referred to as "MLR Code*) to seize the vehicle.

02. In the present case, the Police Station Officer, Gadgenagar, Amravati has seized the vehicle, which is reflected in the notice dated 14/07/2021 issued by respondent No.3 to the petitioner.

03. Having said that, the order impugned will have to be quashed and set aside on the ground that the Tahsildar could not have acted upon the action taken by the Police Officials seizing the vehicle and has not passed any order of seizure of vehicle. The action being contrary to Section 48 of the MLR Code is unsustainable. The petition is, accordingly, allowed.

04. The order impugned dated 27/07/2021 passed by respondent No.3-Tahsildar, Amravati in Revenue Proceedings No.MNL-37/Amravati-188/2020-2021 is quashed and set aside. The amount deposited before respondent No.3 by the petitioner shall be given back to him within six weeks from today.

(Anil L. Pansare, J.)