



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

WRIT PETITION NO.4366/2024

Praful s/o Sahebrao Karade
Vs.
The Additional Collector, Amravati and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.R. Ingole, Advocate for petitioner
Ms Deepa Charlewar, AGP for respondent Nos.1 to 4

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 22.04.2025

Learned AGP seeks time to file reply.

2. It appears that AGP waived notice in the month of August, 2024, however, till today, no reply is filed.

3. The contention of the petitioner is that the order is without jurisdiction as the Police Station Warud, seized the vehicle that too during the valid transit pass.

4. Learned Counsel for petitioner relied in *Shri Prasad s/o Chakradhar Bhugul Vs. State of Maharashtra and others in Writ Petition No.1080/2021* and *in Alim Khan s/o Mala Khan Vs. State of Maharashtra, Ministry of Revenue and Forest, Mantralaya, Mumbai and others in Writ Petition No.1325/2021*, wherein this Court held that if action of seizure itself is without jurisdiction, subsequent

orders passed by the Revenue authorities are also without jurisdiction.

5. In view thereof, the effect and operation of impugned order dated 11.03.2022 passed by Tahsildar, Warud and order dated 15.03.2022 passed by Sub Divisional Officer, Morshi, are hereby stayed subject to deposit 50% of penalty imposed by the Tahsildar, Warud and 50% of the penalty imposed by Sub Divisional Officer, Morshi shall be deposited within one week.

6. On such deposit, the Sub Divisional Officer, Morshi, shall release the vehicle bearing Truck No.CG-07-CA-7616 and also on executing bond to the satisfaction of the Sub Divisional Officer, Morshi.

7. List the matter on 16.06.2025.

JUDGE

R.S. Sahare