

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1426 OF 2026

Imran Nawab Shaikh And Another

VERSUS

The State Of Maharashtra Through The Secretary And Others

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Advocate for the Petitioners : Mr. Apparao Bhimrao Kharosekar

AGP for Respondent/State : Mr. S.A. Gaikwad

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : FEBRUARY 09, 2026

PER COURT :-

1. Present writ petition is filed with following prayers :

“B] The orders passed by the Additional Collector, Nanded dated 11.09.2025 in File No. 2025/ Mashaka-2/Gau.Kha./T-1/Pra.Kra.2297310 confirming the order passed by the Sub Divisional Officer, Kinwat in File No. 2062429/Nanded-23020(11)/42/2025-O/O SDO/KIN may kindly be quashed and set aside.

C] By issuing writ of mandamus or any other writ in like nature the respondent No.4 and 5 may kindly be directed to release the JCB bearing No. TS-205-LC PUNTD20BC02237402 and 3DX HAR3DX54H03351601 of petitioners forthwith.”

2. Apparently, petitioners JCB machine/vehicle has been seized by Circle Officer with allegations that it was used for illegal excavation and transportation of sand. The petitioners were served with show cause notice and ultimately, Sub Divisional Officer passed an order imposing penalty against petitioners. The petitioners filed appeal before Additional Collector at Nanded, which came to be dismissed.

(2)

3. Aggrieved petitioners then approached Additional Commissioner at Chhatrapati Sambhajinagar. Their appeal is pending consideration. The petitioners filed an application for interim relief i.e. release of vehicle subject to deposit of 25% of amount of penalty imposed. However, said application is also kept pending and no orders are passed.

4. Having considered submissions advanced by learned advocates appearing for respective parties, it is apparent that petitioners appeal before Additional Commissioner is kept pending since 14.10.2025. Even petitioners application for interim relief is not yet decided.

5. In that view of matter, present petition can be disposed of by an innocuous order. Hence, following order :

ORDER

(I) The learned Additional Commissioner, Chhatrapati Sambhajinagar shall decide petitioners application for grant of interim relief filed in Appeal No.287 of 2025 within a period of three weeks from today, so also endeavour to decide the substantive appeal within a period of eight weeks from today.

(II) Writ Petition stands disposed of.

(S.G. CHAPALGAONKAR, J.)