



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

CRIMINAL WRIT PETITION NO. 878 OF 2025

Mohammad Naim Shaikh Akbar

Vs.

State of Maharashtra, Thru. Its Secretary, Petroleum and Natural Gas Department, Mantralaya,
Mumbai and anr.

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

Court's or Judge's Orders.

None for petitioner.

Ms. S.S. Haider, APP for respondent/State.

CORAM : ANIL L. PANSARE AND NIVEDITA P. MEHTA, JJ.

DATE : 20.01.2026

None for petitioner.

2. The petitioner has challenged the constitution of Committee constituted by the District Magistrate, Buldhana, to prevent the illegal storage and distribution of illegal diesel and petroleum products. The Committee is directed to take a stock of the situation and file report.

3. Learned APP submits that constitution of Committee by itself will not amount to passing adverse order against the petitioner and therefore, challenge does not survive. He further submits that pursuant to constitution of Committee, report was submitted.

4. Learned APP has invited our attention to Annexure B, which is show cause notice dated 14.10.2025. Perusal of the same indicates that FIR has been lodged against the petitioner vide Crime No.134 of 2025 for the offence punishable under Section 223 of Bharatiya Nyaya Sanhita, 2023 read with Sections 3, 7 and 8 of the Essential Commodities Act, 1955. The petitioner was accordingly called upon to show cause as to why the goods/products mentioned in the FIR should be not confiscated. The petitioner failed to appear and accordingly, order of confiscation has been passed vide order dated 12.11.2025. The said order has been not challenged by the petitioner.

5. The learned APP submits that petitioner has remedy to challenge the order under Section 6 C of the Essential Commodities Act.

6. The statement is accepted.

7. In view of above and since no one is appearing for the petitioner, the petition is dismissed with liberty to the petitioner to avail remedy as is available in law.

(Nivedita P. Mehta, J.)

(Anil L. Pansare, J.)