



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

**WRIT PETITION NO.1145 OF 2026**

[Shivaji Pundlikrao Khawal ..vs.. The Tahsildar, Chandur Railway,  
Amravati and Another]

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

*Court's or Judge's order*

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Shri. A. R. Ingole, Advocate for Petitioner.

**CORAM : ANIL S. KILOR AND  
RAJ D. WAKODE, JJ.**

**DATE : 6<sup>th</sup> FEBRUARY, 2026.**

- . Heard Shri. A. R. Ingole, learned counsel for the petitioner.
2. Smt. S. S. Jachak, learned Additional Government Pleader, waives service of notice on behalf of respondent Nos.1 and 2.
3. The petitioner has approached this Court seeking a direction to respondent No.2 - the Police Station Officer, Police Station Chandur Railway, District Amravati, to release the vehicle bearing Tipper Truck No.MH-27-DM-5279 in pursuance to the communication dated 02.02.2026, issued by respondent No.1 - the Tahsildar, Chandur Railway, District Amravati.
4. The contention is that the petitioner is an owner of the vehicle bearing Tipper Truck No.MH-27-DM-5279. The said vehicle was seized by respondent No.2 - the Police Station Officer, Police Station Chandur Railway, District Amravati, on 29.01.2026 at about 07:00 a.m. The vehicle is presently lying in the custody of respondent No.2.
5. The respondent No.2 had issued a communication dated 29.01.2026 to respondent No.1 - the Tahsildar, Chandur Railway, District Amravati, pointing out the action taken against the petitioner's vehicle after measurement of the sand and verification of royalty.

6. Respondent No.1, after conducting the aforesaid verification, issued a communication dated 02.02.2026 to respondent No.2 pointing out that the petitioner was possessing a valid royalty pass for the period from 28.01.2026 to 29.01.2026 and hence, when the vehicle of the petitioner was seized, he was having a valid royalty pass. Also respondent No.1 has informed that after measuring the truck, it was found that the vehicle was not overloaded and was within the limits of a valid transit pass, and accordingly has given no objection for the release of the aforesaid truck. Despite the communication dated 02.02.2026 issued by respondent No.1 to respondent No. 2, the vehicle is not released till date.

7. In view of the above, and as the aforesaid facts remain uncontroverted, we allow the present writ petition and direct the respondent No.2 to forthwith release the petitioner's vehicle bearing registration No.MH-27-DM-5279 in pursuance of the communication dated 02.02.2026 issued by respondent No.1, which is at record page No.21 (Annexure-E).

8. *Prima facie*, we are of the opinion that this is a case of high-handedness at the behest of respondent No.2, and therefore, requires an enquiry by a Senior Officer. Accordingly, the Superintendent of Police, Amravati (Rural), is directed to conduct an enquiry in the present matter and submit a report to the Registry of this Court within a period of four weeks from the date of receipt of this order.

9. The Office is directed to list the present writ petition on 09.03.2026, for the aforesaid compliance.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)