

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.34574 of 2015

ORDER:

This writ petition is filed challenging the memo issued by the second respondent in C.C.No.64/2015 CSR5 dated 11.10.2015.

The petitioner is a dealer of commodities under a wholesale and retail licence, which is valid upto 31.03.2016. An inspection was conducted on 18.09.2015 in the premises of the petitioner and some stock was seized. On the ground of irregularities, a case under Section 6-A of the Essential Commodities Act was registered and is pending before the second respondent. When the petitioner filed an application for release of the seized stock, the same was rejected by memo dated 11.10.2015, based on instructions issued by the Commissioner of Civil Supplies dated 03.07.2012. Challenging the said memo, the present writ petition is filed.

The continue detention of the seized stock is not for the benefit of the State or for the petitioner. In the circumstances, this Court feels it just and necessary to order the release of seized stock on the condition of petitioner furnishing a bank guarantee for a sum of Rs.22 lakhs (Rupees twenty two lakhs only). As and when the petitioner furnished the bank guarantee, the second respondent shall release the seized stock to the petitioner.

Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

14.10.2015

MVA

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Date: 14.10.2015

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MVA