

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH

WRIT PETITION No.22340 of 2015

Between:

Mohd. Khaja Pasha, S/o.Shaik Madeena
... Petitioner
and

The State of Telangana rep. by its
Ex-officio-cum-Commissioner of Civil Supplies
Department, Secretariat, Hyderabad
and another
... Respondents

DATE OF JUDGMENT PRONOUNCED: 20-07-2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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|--|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
Marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Lordship wish to see the
fair copy of the Judgments? | Yes/No |

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.22340 of 2015

ORDER:

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Heard the learned counsel for the petitioner and the learned
Government Pleader for the respondents.

The petitioner is a registered owner of Tata Ace Auto Trolley

bearing registration No.AP 09TB 1143 and he is eking out his livelihood by running the said auto. While so, the auto was taken on hire by one C.Sai Kumar for transporting diesel from Punjagutta to Katedan and the same was seized on 30.06.2015 along with oil, when it was intercepted by the police officials. A criminal case was filed against the owner of the stock and the matter was informed to the Assistant Supply Officer who registered a case under Section 6A of the Essential Commodities Act. Since the petitioner is the owner of the vehicle and he is seeking release of the vehicle, he filed a petition on 13.07.2015 for release of the vehicle before the 2nd respondent and no orders were passed, he filed the present writ petition.

The continuous retention of the auto is not in the interest of the State or in the interest of the petitioner. In these circumstances, this Court is inclined to order for release of the Tata Ace Auto Trolley of the petitioner. Therefore, the Tata Ace Auto Trolley bearing registration No.AP 09TB 1143 shall be released to the petitioner within a period of one week on furnishing bank guarantee for a sum of Rs.1,00,000/- (Rupees one lakh only) and on filing an undertaking that he will not alienate the same and can produce the same as and when demanded by the 2nd respondent.

Accordingly, the writ petition is disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions, if any pending in this writ petition, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 20.07.2015

Note: CC by tomorrow
siva