

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.40953 of 2015

ORDER :

Petitioners in this Writ Petition assails the action of the 3rd respondent in seizing stock of 142 quintals of suspected PDS rice, in total, of the 1st petitioner from three vehicles i.e., TATA Goods auto bearing No.AP 02 TB 3128 of 2nd petitioner, Bolero Goods Vehicle bearing No.AP 22 TA 7433 of 3rd petitioner and Auto Trolley bearing No.AP 22 TA 2316 of 4th petitioner under a panchanama dt.25.11.2015 and not considering the petitioners' application for releasing the same on their furnishing bank guarantee.

2. The learned Government Pleader for Civil Supplies appearing for respondents states that the respondents have no objection for release of the seized stock of rice as well as three vehicles if the petitioners are willing to give a bank guarantee for the value of the seized stock of rice as well as the vehicles as assessed by the 2nd respondent and keeping the said bank guarantee alive during the pendency of proceedings under Section 6A of the Essential Commodities Act, 1955 (for short 'the Act') against the petitioners.

3. In view of the said submission, the Writ Petition is disposed of directing the respondents to release the seized stock of 142 quintals of rice in total of the 1st petitioner as well as TATA Goods auto bearing No.AP 02 TB 3128, Bolero Goods Vehicle bearing No.AP 22 TA 7433 and Auto Trolley bearing No.AP 22 TA 2316 of petitioners 2 to 4 subject to their furnishing bank guarantee for their value as assessed by the 2nd respondent and subject to the petitioners keeping the said bank guarantees alive till the proceeding under Section 6A of the Act concludes. Further petitioners 2 to 4 shall produce documents proving their ownership of the vehicles and shall not alienate or encumber the said vehicles, during the pendency of proceedings under Section 6A of the Act. There shall be no order as to costs.

4. Consequently, miscellaneous petitions pending, if any, in this Writ Petition shall

stand closed.

M.S.RAMACHANDRA RAO, J

17th December, 2015

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