

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.41037 of 2015

ORDER :

Petitioner in this Writ Petition seeks release of his vehicle i.e., Eicher Van bearing No.AP 02 V 7560 seized by the respondents while transporting alleged PDS rice.

2. Counsel for the petitioner states that the petitioner is not involved in any offence and that the vehicle would get damaged if it is left in the custody of the respondents.

3. The learned Government Pleader for Civil Supplies appearing for respondents states that the respondents have no objection for release of the vehicle if the petitioner is willing to give a bank guarantee for the value of the vehicle to the satisfaction of the 2nd respondent pending proceedings under Section 6A of the Essential Commodities Act, 1955 (for short 'the Act') against the persons responsible for use of the vehicle for allegedly acting in violation of A.P. State Public Distribution System (Control) Order, 2008 and keeping the said bank guarantee alive during the pendency of the said proceedings.

4. In view of the said submission, the Writ Petition is disposed of directing the respondents to release the seized vehicle i.e., Eicher Van bearing No.AP 02 V 7560 to the petitioner subject to the petitioner furnishing a bank guarantee for its value as assessed by the 2nd respondent and subject to the petitioner keeping the said bank guarantee alive and not alienating or encumbering the said vehicle during the pendency of proceedings under Section 6A of the Act. There shall be no order as to costs.

5. 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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