

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.821 of 2012

Dated 23rd June, 2015

Between:

Shiva Shanker Trading Company

...Petitioner

And

The Joint Collector (CS), Karimnagar District and others

...Respondents

Counsel for the petitioner: Sri K.Venumadhav

Counsel for the respondents: GP for Civil Supplies

The Court made the following:

ORDER:

This writ petition is filed for a mandamus to declare the seizure of (1) 26.25 quintals of rice (2) 24.00 quintals of sugar (3) 44.00 quintals of red gram dal (4) 31.50 quintals of bengal gram dal (5) 10.00 quintals of green gram dal (6) 4.00 quintals of ground nut seed (7) 8.00 quintals of sesame (8) 21.50 quintals of babbera pappu and (9) oil – a) packets-40 b) lose tin 13.65 ltrs; under panchanama, dated 06.01.2012, by respondent No.3 as illegal and arbitrary. The petitioner sought for a consequential direction to the respondents not to sell the seized stocks pending proceedings under Section 6-A of the Essential Commodities Act, 1955 (for short 'the Act').

At the hearing, Sri K.Venumadhav, learned counsel for the petitioner, has submitted that as a result of the interim order granted by this Court on 12.01.2012, the seized stocks were not sold and that the proceedings under Section 6-A of the Act are still pending before respondent No.1. He has further submitted that his client will be

satisfied if a direction is given to respondent No.1 to conclude the proceedings under Section 6-A of the Act and pass a final order, and continue the interim order granted by this Court till the disposal of the said proceedings by respondent No.1.

The learned Government Pleader for Civil Supplies (TS) reported no instructions.

Having regard to the fact that the proceedings under Section 6-A of the Act are stated to be pending before respondent No.1 and the interim order granted by this Court on 12.01.2012 is operative, it is appropriate to direct respondent No.1 to conclude the proceedings under Section 6-A of the Act, if the same is not done till now, within a period of two months from the date of receipt of a copy of this order and not to sell the seized stocks till such conclusion of the proceedings.

The writ petition is accordingly disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.1036 of 2012 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

23rd June, 2015
VGB