

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.40996 of 2015

ORDER :

Heard counsel for the petitioner and the Government Pleader for Civil Supplies appearing for respondents.

2. The grievance of the petitioner in this Writ Petition is against the action of the 3rd respondent in seizing stock of 4511 liters of Sunflower oil of Sundrop brand from the petitioner's business premises pursuant to a panchanama dt.31.10.2015.

3. Counsel for the petitioner contends that the ground on which the stock of sunflower oil was seized by the respondents is that the petitioner had not obtained B-Form license and no allegation of clandestine business was made against the petitioner. He further submits that the petitioner is presently having B-Form license.

4. The learned Government Pleader for Civil Supplies appearing for respondents states that if the petitioner is willing to give a bank guarantee for the value of the seized stock of sunflower oil as assessed by the 2nd respondent and keeps the said bank guarantee alive during the pendency of proceedings against him under Section 6A of the Essential Commodities Act, 1955 (for short 'the Act'), the respondents have no objection for release of the same to the petitioner.

5. In this view of the said submission, the Writ Petition is disposed of directing the respondents to release seized stock of sunflower oil from the petitioner's business premises pursuant to the panchanama dt.31.10.2015 to the petitioner subject to the petitioner furnishing a bank guarantee for its value as assessed by the 2nd respondent and keeping the said bank guarantee alive during the pendency of proceedings under Section 6A of the Act. There shall be no order as to costs.

6. 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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