

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.16115 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies. The Writ Petition is being disposed of at the stage of admission with the consent of parties.

The petitioner is the owner of auto trolley bearing registration No. AP 20 TB 4243 and is using the said vehicle for loading and unloading of goods on hire basis. When the goods are being transported on 22.05.2015 from Suvarnapuram to Kodad, the third respondent intercepted the vehicle of the petitioner and seized the stock on the ground that he was transporting PDS rice from Suvarnapuram to Mudigonda. It is stated that 6-A proceedings were initiated, and the vehicle was produced before the competent authority. The petitioner filed a representation before the second respondent on 05.06.2015 for release of the subject vehicle on furnishing bank guarantee to the cost of the seized stock, but the second respondent did not pass any order. The present Writ Petition is filed for release of the vehicle on the ground that the petitioner is the owner of the vehicle and his business is being affected by continuing the custody of the vehicle.

In the above facts and circumstances of the case, this Court deems it fit to direct the second respondent to release the seized auto trolley bearing registration No. AP 20 TB 4243 on condition of the petitioner furnishing bank guarantee for a sum of Rs.1.00 lakh to the satisfaction of the second respondent within a period of one week from the date of receipt of a copy of the order. The petitioner shall produce the vehicle as and when demanded by the second respondent, and shall not alienate till the conclusion of 6-A proceedings.

The Writ Petition is, accordingly, disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:09.06.2015

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