

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.39522 OF 2015

ORDER :

Petitioner's grievance is that the 3rd respondent seized the stocks of pulses from the petitioner's business premises under a panchanama dt.27.10.2015 on the ground that he contravened the provisions of the A.P. Scheduled Commodities Dealers (Licensing Storage and Regulation) Order, 2008 (for short 'Control Order'); that the petitioner had sought for release of the seized stock by filing an application dt.03.11.2015 to the 2nd respondent and that the petitioner's application was not considered by the 2nd respondent.

2. It is not disputed that enquiry under Section 6-A of the Essential Commodities Act, 1955 is pending against the petitioner.

3 The Government Pleader for Civil Supplies appearing for respondents, on instructions, states that the respondents have no objection for release of the seized stocks to the petitioner subject to the petitioner furnishing a bank guarantee for their value and also subject to the petitioner keeping the bank guarantee alive till the disposal of the proceedings under Section 6A of the Essential Commodities Act, 1955 (for short 'the Act').

4. In view of the submissions, this Writ Petition is disposed of directing the 2nd respondent to release the seized stocks to the petitioner on condition of the petitioner submitting a bank guarantee for their value as assessed by the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order and subject to the petitioner keeping the said bank guarantee alive during the pendency of the proceedings under Section 6A of the Act. There shall no order as

to costs.

5. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

07th December, 2015.
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