

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.24049 of 2015

ORDER:

The petitioner is the owner of Vehicle bearing No.AP-31-TW-9286 (Bolero Max Truck). The said vehicle was seized on 04.07.2015 on the allegation of illegal transport of PDS rice. Proceedings under section 6-A of Essential Commodities Act were initiated and the said proceedings are pending.

The petitioner filed a petition before the second respondent-Joint Collector (CS), Visakhapatnam, for release of the seized vehicle and when no orders were passed since 07.07.2015, the present writ petition is filed.

The continuous detention of vehicle does not advance the cause of the State, since proceedings u/s.6-A of E.C. Act are admittedly pending before the second respondent.

In view of the same, the second respondent is directed to release the vehicle on the petitioner furnishing a bank guarantee for a sum of Rs.80,000/- (Rupees Eighty Thousand only) as mentioned in the report of the third respondent-Deputy Tahsildar, K. Kotapadu Mandal on 04.07.2015 in respect of the vehicle bearing No. AP-31-TW-9286.

The petitioner shall give an undertaking that he will not alienate the vehicle and produce the same as and when demanded pending proceedings u/s.6-A of E.C. Act.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. Miscellaneous Petitions, if any pending in this writ petition shall stand closed.

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A. RAMALINGESWARA RAO, J

Date: 03.08.2015

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