

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.6445 of 2015

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ORDER:

Heard.

The petitioner states that he is carrying on business of black Jaggery in the name and style of M/s.Balaji Jaggery and General Merchant at Assalapuram Village, Nellapalli Post, G.D.Nellore Mandal, Chittoor District. The petitioner states that on 28-01-2015 he loaded 280 kgs. of black Jaggery in a Goods Carriage vehicle bearing No.AP-03-X-4446 and when the said vehicle reached outskirts of A.K.Tanda, Rayaparthi, the 3rd respondent intercepted the vehicle and seized the vehicle along with the stock and registered a case in P.R.No.963 of 2014-15 for the offence punishable under Section 34 (e) of A.P.Excise Act, 1968. The petitioner made an application before the 2nd respondent on 19-02-2015 seeking release of the stock. The present writ petition is, therefore, filed aggrieved by the action of the 3rd respondent in seizing the stock as well as inaction of the 2nd respondent in releasing the stock.

The petitioner's application for release of the stock is evidently pending with the 2nd respondent and the crime, as stated above, is already registered against the petitioner. In my view, the seizure of stock cannot be adjudicated in this writ petition. However, since the petitioner's application for release of the stock is pending with the 2nd respondent, the writ petition is disposed of directing the 2nd respondent to consider the aforesaid application of the petitioner and dispose of the same in accordance with law, within one week from the date of receipt of a copy of this order. No order as to costs.

The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 13-03-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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