

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.40553 of 2015

ORDER :

Petitioner in this Writ Petition seeks release of his vehicle i.e., Eicher Van bearing No.AP 05 V 6269 seized pursuant to a Mediators Report dt.25.10.2014 by the 3rd respondent.

2. Counsel for the petitioner states that the petitioner is not involved in any offence and that the vehicle would get damaged if it is left in the custody of the respondents.

3. The Government Pleader for Civil Supplies appearing for respondents states that the respondents have no objection for release of the vehicle, if the petitioner is willing to furnish bank guarantee for the value of the vehicle to the satisfaction of the 2nd respondent pending proceedings under Section 6A of the Essential Commodities Act, 1955 against the persons responsible for use of the vehicle (for allegedly acting in violation of A.P. State Public Distribution System (Control) Order, 2008) and keeping the said bank guarantee alive during the pendency of the said proceedings.

4. In view of the said submission, this Writ Petition is disposed of directing the 2nd respondent to release the vehicle i.e., Eicher Van bearing No.AP 05 V 6269 to the petitioner subject to his producing proof of ownership of the said vehicle; giving a bank guarantee for the value of the said vehicle as assessed by the 2nd respondent; and keeping the said bank guarantee alive during the pendency of the proceedings under Section 6A of the Act against the alleged offenders. Petitioner shall also not alienate or encumber the vehicle pending said 6A proceedings. There shall be no order as to costs.

5. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

15th December, 2015
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M.S.RAMACHANDRA RAO, J