THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.38679 of 2015

ORDER :

Petitioner's grievance is that the respondents are proposing to sell the stocks seized from the petitioner's business premises in an open auction, that the petitioner had sought for release of the seized stock by filing an application dt.04.11.2015 before the 2nd respondent, but the same was not considered by the 2nd respondent.

2. The Government Pleader for Civil Supplies appearing for respondents 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').

3. In view of the said 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 be no order as to costs.

4. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

M.S.RAMACHANDRA RAO, J

27th November, 2015

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