

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.42125 OF 2015

ORDER :

Petitioner's grievance is that the 5th respondent seized the stocks of PDS rice-30 quintals, sugar-1.375 quintal, Tur Dal-87.5 kilograms and Kerosene-100 liters from the petitioner's Fair Price Shop under a panchanama dt.07.12.2015 on the ground that there are variations in the stock.

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 said submissions, this Writ Petition is disposed of directing the 3rd respondent to release the seized stocks to the petitioner on condition of the petitioner submitting a bank guarantee for its value as assessed by the 3rd 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

29th December, 2015.
gra