

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.22148 of 2015

ORDER:

The first petitioner is doing rice business under a valid food grains licence issued by the authorities concerned. The second petitioner is owner of lorry bearing No.AP-24-TB-8965. While so, on 16.06.2015 the third respondent intercepted the lorry, which was having a load of rice and seized the same. Later on, proceedings under Section 6-A of the Essential Commodities Act were initiated. The petitioners filed an objection petition on 06.07.2015 before the second respondent and when the same was not considered and appropriate orders were not passed on the objection petition by the second respondent, the present writ petition is filed.

The petitioners came forward to furnish bank guarantee for the value of seized stock and lorry as mentioned in the panchnama dated 16.06.2015. No useful purpose would be served by retaining the seized stock and lorry before the second respondent.

In the circumstances, this Court is inclined to dispose of the writ petition by directing the second respondent to release the seized stock of rice in 240 bags each 50 kgs in favour of the first petitioner on his furnishing bank guarantee for a sum of Rs.1,20,000/- and to release the seized lorry bearing No.AP-24-TB-8965 in favour of the second petitioner on his furnishing bank guarantee for a sum of Rs.2,50,000/-, within 15 days from the date of receipt a copy of this order.

It is needless to say that the second petitioner shall furnish an undertaking to the second respondent that he will not alienate the lorry and produce the same as and when demanded by the second respondent during pendency of proceedings u/s.6-A of Essential Commodities Act.

With the above directions, the writ petition is disposed of.

Miscellaneous Petitions, if any pending in this writ petition shall stand closed. No order as to costs.

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A. RAMALINGESWARA RAO, J

Date: 17.07.2015

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