

IN THE HIGH COURT OF JUDICATURE: AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WRIT PETITION No.26090 of 2015

BETWEEN:

Pritamsingh Bhatia,
s/o. Amarjithsingh Bhatia
owner of the lorry.

.. Petitioner

AND

The State of Telangana,
rep.by its Principal Secretary,
Civil Supplies Department,
Secretariat, Hyderabad,
and 3 others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 18.08.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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| 1. Whether reports of Local newspapers
may be allowed to see the judgments? | YES/NO |
| 2. Whether the copies of judgments may be
marked to Law Reporters/Journals. | YES/NO |
| 3. Whether their Ladyship/Lordship wish to
see the fair copy of the Judgment ? | YES/NO |

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.26090 of 2015

ORDER:

The petitioner is owner of a lorry bearing No.MH-35-K-3122. It is
the case of the petitioner that on 06.08.2015 M/s. Sandeep Rice Mill,

Gondia, Maharashtra purchased 420 bags of rice weighing 210 quintals from M/s. Sri Srinivasa Traders, Luxettipet, to which cash bill was issued in the name of Sandeep Rice Mill, Gondia. For transportation of said rice bags, the lorry of the petitioner was engaged and the Commercial Tax Department also issued way bill on 06.08.2015. On 07.08.2015 the said rice was loaded in the lorry of the petitioner bearing No.MH-35K-3122 from the godown of M/s. Sri Srinivasa Traders, Luxettipet for taking it to Gondia and at that time the fourth respondent-Deputy Tahsildar (Enforcement), Luxettipet conducted inspection and seized 420 bags of rice weighing 210 quintals and the said lorry under panchanama dated 07.08.2015. Challenging the said action of the fourth respondent, the present writ petition is filed.

The learned Government Pleader for Civil Supplies on the basis of the written instructions submits that inspection was conducted on 07.08.2015 and the vehicle was shifted to Luxettipet Police Station as the stock of rice belongs to PDS. On receipt of the said information, the fourth respondent-Deputy Tahsildar (Enforcement), Luxettipet has taken over the rice along with the vehicle into the Government custody. During the investigation, the lorry driver deposed that he went to Sultanabad of Karimnagar District to unload paddy at Rice Mill and on return journey to Maharashtra State at Luxettipet, the petitioner called him and asked to transport the said rice to Gondia. The fourth respondent submitted a report in the matter. The owner of the lorry filed a claim petition to the District Supply Officer, Adilabad and the said claim petition is under scrutiny.

Now the petitioner is willing to furnish the security for the seized lorry and the petitioner submitted an application on 12.08.2015 to the second respondent for release of the seized lorry.

In view of the same, the second respondent-District Collector (CS), Adilabad, is directed to release the lorry bearing No.MH-35-K-3122 to the petitioner on his furnishing bank guarantee to the

satisfaction of the second respondent and on filing an undertaking with usual conditions of non-alienation during pendency of 6-A proceedings and production of vehicle as and when demanded by the 2nd respondent.

With the above directions, the writ petition is disposed of. There shall be no order as to costs. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed.

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A. RAMALINGESWARA RAO, J

Date: 18.08.2015

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