

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 33182 of 2015

DATED 8th OCTOBER, 2015

BETWEEN

Shankarlal Dharak and anr

....Petitioners

And

The State of Telangana,

Rep. by its commissioner of Civil Supplies

Department and Ex Officio Secretary.

Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 33182 of 2015

ORDER:

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Heard learned Counsel for the petitioners and learned Government Pleader for

Civil Supplies appearing for the respondents.

The second petitioner herein is the owner of DCM Van bearing Registration No. AP 25 X 6268. When the second petitioner was transporting 228 quintals of rice, 35 bags of Wheat, 7 bags of Redgram dal, 22 quintals of Sugar, two quintals of salt belonging to the first petitioner on 03.09.2015, the third respondent along with his staff intercepted the said vehicle and seized the stock along with the said vehicle on the ground that the said goods meant for Public Distribution System are being transported illegally. Thereafter 6-A proceedings are initiated and the same are pending consideration before second respondent. The petitioners filed their respective petitions before the second respondent on 09.09.2015 for release of the seized stock and vehicle on usual terms. When no orders are passed, the present Writ Petition is filed.

Now the first petitioner is claiming release of the seized stock and the second petitioner is claiming release of the said vehicle on usual terms. The value of the seized stock is worth of Rs.4,01,372/- whereas the said vehicle is worth of Rs.3,00,000/-. Trite to state, continued detention and seizure of the vehicle and goods do not advance any purpose or interest of the respondents. The interest of the respondents can be protected by directing that the vehicle and goods of the petitioners be released subject to certain conditions. In the circumstances, the second respondent is directed to release the seized stock and vehicle bearing registration No. AP 25 X 6268 in favour of respective petitioners on condition of their furnishing bank guarantee for Rs.4,01,372/- and Rs.3,00,000/- respectively, within a period of fifteen days from the date of receipt of a copy of this order. Further the second petitioner shall file an undertaking before the second respondent that he will not alienate or encumber the said vehicle till the conclusion of 6-A proceedings and that the same shall be produced as and when directed by the second respondent.

The Writ Petition is disposed of. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. RAMALINGESWARA RAO

DATED 8th October, 2015.

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