

THE HON'BLE SRI JUSTICE R.KANTHA RAO

WRIT PETITION No.7775 OF 2015

ORDER:

Heard learned counsel appearing for the petitioner, learned Government Pleader for Civil Supplies for respondent No.1 and learned Government Pleader for Home for respondent No.2.

The petitioner is the absolute owner of Eicher Van bearing No.AP 01X 6277 and he purchased the same under hire purchase agreement. On the ground that the vehicle was transporting red gram without any waybill, it was intercepted and a case under Section 6-A of the Essential Commodities Act, 1955 was registered. The vehicle was seized and placed before the Station House Officer, Kubeer Police Station, Adilabad, the 2nd respondent. Therefore, the petitioner filed an application before the Collector (Civil Supplies), Adilabad, the 1st respondent, seeking release of his vehicle. The 1st respondent directed release of the vehicle on condition of the petitioner furnishing bank guarantee for an amount of Rs.3,80,000/-. The said order has been impugned in the present Writ Petition.

Learned counsel appearing for the petitioner submits that the bank guarantee as directed to be furnished by the petitioner is of huge amount and the petitioner is not in a position to furnish the same.

As per law, the authority directs the owner of the vehicle to furnish the bank guarantee equivalent to the value of the vehicle and therefore, I do not find any illegality in the order passed by the 1st respondent requiring interference by this Court.

The Writ Petition is accordingly dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

R.KANTHA RAO, J

Date:24.03.2015

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