

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.32916 of 2015

ORDER:

The petitioner is a licenced whole sale and retail dealer in pulses. His licence is valid up to 31.03.2016. While so, the business premises of the petitioner was inspected on 18.09.2015 and though no variation was noticed, a panchanama was conducted and proceedings under Section 6-A of the Essential Commodities Act were initiated against the petitioner after seizing the stock. Now, the proceedings are pending before the third respondent-District Collector, SPSR Nellore District. The petitioner submitted an application for release of the seized stock on 26.09.2015 and when no orders are passed on the said application, the present writ petition is filed.

The continued detention of the seized stock is not to the benefit of the petitioner or to the State when 6-A proceedings are pending before the third respondent.

In the circumstances, this Court feels it just and necessary to order for release of the seized stock of the value of Rs.27,35,100/- as and when the petitioner furnishes bank guarantee to the said value and release of the seized stock would be subject to further orders passed by the third respondent in 6-A proceedings ultimately.

Accordingly, the writ petition is allowed to the extent indicated above. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 07.10.2015

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