

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION NOS.34103, 34318 AND 34379 OF 2015

COMMON ORDER:

The grievance of the petitioners in these three Writ Petitions is common and hence, they are taken up together for disposal.

Heard the learned counsel for the petitioners and the learned Government Pleader for Civil Supplies for the respondents.

On 03.09.2015, the third respondent seized the petitioners' stocks after inspection of their respective shops and initiated proceedings under Section 6-A of the Essential Commodities Act. Seeking release of their seized stocks, the petitioners filed applications before the second respondent on 06.09.2015 by proposing to furnish bank guarantee, which are pending consideration. Further, it is stated that without considering the said applications, auction notice dated 06.10.2015 was issued proposing to auction the seized stocks on 09.10.2015. However, both the learned counsel accepted that no auction was held on 09.10.2015 in pursuance of the notice dated 06.10.2015. Consequently, the petitioners seek consideration of their applications for release of stocks before conducting auction.

Under the facts and circumstances of the case, it is appropriate to direct the second respondent to consider the petitioners' applications for release of their stocks and pass appropriate orders thereon and only thereafter, if necessary, issue appropriate directions for holding auction.

All the three Writ Petitions are disposed of, accordingly. There shall be no order as to costs. Miscellaneous petitions, if any, pending in these three Writ Petitions shall stand closed.

(VILAS V. AFZULPURKAR, J)

19th October 2015

RRB/KH