

**HON'BLE SRI JUSTICE R. SUBHASH REDDY
AND
HON'BLE DR. JUSTICE B. SIVA SANKARA RAO**

WRIT PETITION No.23146 of 2002

ORDER : (Per Justice R. Subhash Reddy)

This writ petition is filed with the prayer which reads as under:

“to issue an appropriate Writ, Order or Direction more particularly in the nature of Writ of Mandamus declaring the provisions of Section-29(AB) of the APGST Act, 1957 are applicable and confined to the transactions of purchase or sale of goods affected in the State of Andhra Pradesh and not to inter-state purchases or sales and also violative of Section-38 read with Article 286 of the Constitution of India and consequently declaring the detention of the goods through the impugned notice dated 07.11.2002 in Case No.52/2002-2003/CTI(3) covering of the goods supported by sale bills and lorry receipts as elaborately described in the annexed statement in the course of interstate purchases as illegal without authority of law, without jurisdiction and violative Articles 301 and 304A of the Constitution of India and consequently direct the respondents to release the goods as also direct the respondents not to detain the goods being purchased in the course of interstate covered by sale bills and consignment notes (lorry receipts).”

From a perusal of the counter affidavit filed, it is clear that consequent to detention of the goods alleged to have been purchased basing on fictitious documents,

confiscation order is already passed, and further, for the relief sought for in the writ petition, the petitioner is having alternative remedy of appeal.

In view of passing of confiscation orders subsequent to filing of this writ petition, no further directions are needed to be given in this writ petition, where, the petitioner has merely questioned the detention order.

The writ petition is accordingly dismissed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

R. SUBHASH REDDY, J

DR.B.SIVA SANKARA RAO, J

16th February 2015

ajr