

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.38083 of 2015

ORDER :

Petitioner is a licensed dealer for supply of Essential Commodities and is running a super market. On 03.11.2015, 3rd respondent, along with vigilance and enforcement officials, inspected the petitioner's business premises and seized stocks of pulses, palm oil and sunflower oil under a mediator report dt.03.11.2015. A report under Section 6A of the Essential Commodities Act, 1955 (for short 'the Act') was also submitted to the 2nd respondent.

2. Petitioner alleges that he has never committed any irregularities and that the stocks seized from the petitioner are liable to be released to the petitioner.

3. Counsel for the petitioner states that the petitioner is willing to furnish a bank guarantee for the value of the seized stocks to the satisfaction of the 2nd respondent if the seized stocks are released and that the petitioner had submitted a representation on 03.11.2015 to the 2nd respondent making a similar prayer.

4. Learned Government Pleader for Civil Supplies appearing for respondents states the respondents would release the seized stocks to the petitioner subject to the petitioner furnishing a bank guarantee to the satisfaction of the 2nd respondent and also subject to the petitioner keeping the said bank guarantee alive pending enquiry under Section 6A of the Act.

5. Therefore, this Writ Petition is disposed of directing the 2nd respondent to release the stocks seized from the petitioner's business premises to the petitioner subject to the petitioner furnishing a bank guarantee to the satisfaction of the 2nd respondent and also subject to the petitioner keeping the said bank guarantee alive during the pendency of proceedings under Section 6A of the Act. There shall no order as to costs.

6. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

M.S.RAMACHANDRA RAO, J

24th November, 2015

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