

THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

WRIT PETITION No.39220 of 2015

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ORDER:

Heard Sri K.V. Raghuveer, learned counsel for the petitioner, and the learned Government Pleader for Civil Supplies appearing for the respondents.

2. The petitioner runs a mill, which was inspected by the 4th respondent on 29.10.2015 and the entire ground balance of red gram was seized under a cover of panchanama on the ground that there were certain discrepancies in the stock. Case under Section 6A of the Essential Commodities Act, 1955 (for short, 'the Act') had been registered against the petitioner by the 2nd respondent. Thereafter, by proceedings dated 24.11.2015, the 2nd respondent directed sale of the seized stock through public auction.

3. The petitioner denies the allegations made against it and contends that the said stock be released to it subject to the petitioner furnishing a bank guarantee for the same. Learned Government Pleader for Civil Supplies appearing for the respondents does not have any objection to this course of action.

4. Therefore, the writ petition is disposed of directing the petitioner to furnish a bank guarantee for the value of the seized stock to the satisfaction of the 2nd respondent and subject to the said bank guarantee being kept alive during the pendency of the proceedings under Section 6A of the Act against the petitioner. The respondents shall complete the proceedings under Section 6A of the Act within four months from the date of receipt of a copy of this order. There shall be no order as to costs. The miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S. RAMACHANDRA RAO

Date: 03-12-2015

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