

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 33492 of 2015

DATED 12th OCTOBER, 2015

BETWEEN

S. Maddula Saraswathi

...Petitioner

And

The State of Andhra Pradesh,

Rep. By its Principal Secretary

Consumer Affairs, Food and Civil Supplies,

A.P. Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 33492 of 2015

ORDER:

Heard learned Counsel for the petitioner and learned Government Pleader for Civil Supplies appearing for the respondents.

The petitioner is stated to be the proprietor of Venkata Sai Sarawathi Traders

and is doing business in the pulses, wheat and other commodities. The trade licence given by the competent authority to her is valid up to 30.09.2015. It appears that on 16.6.2015 the respondent authorities along with Vigilance and Enforcement Officials inspected the business premises of the petitioner and seized certain stocks on the ground that she contravened the provisions of the Andhra Pradesh Scheduled Commodities (Dealers Licence, Storage and Regulation) Order, 2008. Thereafter 6-A proceedings were initiated and they are pending before the second respondent. While so, the petitioner submitted an application on 25.6.2015 before the second respondent seeking release of the seized stock and an order was passed on 27.09.2015 asking the petitioner to furnish bank guarantee for half the value of the seized stocks i.e. Rs.27,04,950/-. The present Writ Petition is filed stating that the petitioner is unable to furnish the said bank guarantee and seeks early disposal of the 6-A proceedings by the second respondent.

Admittedly 6-A proceedings are pending before the second respondent pursuant to the panchanama conducted on 16.6.2015 and seizure of the stock on that day. The said proceedings are pending for the last four months. In the circumstances, the second respondent is directed to conduct an enquiry and pass final order thereon, in accordance with law, within a period of three months from the date of receipt of a copy of this order. In the meanwhile, the second respondent shall not direct for sale of the seized stock as the petitioner is unable to furnish the bank guarantee pursuant to the order dated 27.09.2015.

Subject to the above, the Writ Petition is disposed of at the admission stage. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. RAMALINGESWARA RAO

DATED 12th October, 2015.

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