

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.18535 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

The petitioner is the owner of the shop and also the Maxi Cab bearing registration No.AP 20TC 3861, which was involved in 6A proceedings pending before the 2nd respondent. When the said proceedings are pending, the petitioner submitted an application on 27.04.2015 before the 2nd respondent for release of Maxi Cab bearing registration No.AP 20TC 3861 and when no orders were passed, the present writ petition is filed.

It is clear from the averments made from the affidavit filed in support of the writ petition, on 06.04.2015, PDS rice along with the Maxi Cab was seized for violation of the provisions of the Essential Commodities Act, 1955, and a panchanama was conducted and 6A proceedings are pending against the petitioner. Now the petitioner filed an application before the 2nd respondent seeking release of the Maxi Cab and also for release of the PDS rice.

In the circumstances, the 2nd respondent is directed to release the stock upon furnishing bank guarantee of the market value to be furnished by the petitioner as fixed by 2nd respondent and Maxi Cab bearing registration No.AP 20TC 3861 also shall be released to the petitioner on furnishing bank guarantee for a sum of Rs.50,000/- within a period of 15 days from the date of receipt of a copy of this order. It is needless to mention that the petitioner shall not alienate the Maxi Cab

and produce the same before the 2nd respondent, as and when demanded, during pendency of 6A proceedings.

With the above observations and directions, this writ petition is disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions, if any pending in this writ petition, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 13.07.2015

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