

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.37782 of 2015

ORDER :

This Writ Petition is filed challenging the action of the 2nd respondent in proposing to sell through public auction the stocks seized from the business premises of the petitioner for alleged violation of conditions under the Andhra Pradesh Scheduled Commodities Dealers (Licensing, Storage and Regulation) Order, 2008.

2. Counsel for the petitioner submits that even though petitioner had sought for release of the stocks by way of application dt.29.10.2015 made to the 2nd respondent, ignoring the same, the 2nd respondent had passed the impugned order on 05.11.2015 directing public auction.

3. Petitioner contends that he is willing to give a bank guarantee for the value of the seized stocks and he will also keep it alive during the pendency of the enquiry under Section 6A of the Essential Commodities Act, 1955 and therefore, the seized stocks be released to him.

4. Learned Government Pleader for Civil Supplies appearing for respondents states the respondents have no objection for release of the seized stocks to the petitioner subject to the petitioner giving a bank guarantee for the value of the stocks as assessed by the 2nd respondent.

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 for their value to the satisfaction of the 2nd respondent and also subject to the petitioner keeping the said bank guarantee alive during the pendency of the proceedings under Section 6A of the Essential Commodities Act, 1955. 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

Note: *Issue C.C. in one week.*

B/o

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