

**THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO**

**WRIT PETITION No.38921 of 2015**

**ORDER :**

Petitioner in this Writ Petition assails an order dt.19.11.2015 of the Joint Collector(CS)-2<sup>nd</sup> respondent directing disposal of the stock seized from the petitioner's business premises on the ground that there were certain variations in the stock and that the petitioner committed certain irregularities in contravention of the provisions of Fertilizer (Control) Order, 1985.

2. The counsel for petitioner states that the petitioner is willing to furnish a bank guarantee for the value of seized stocks and on that condition, seized stocks be released to the petitioner.

3. The Government Pleader for Civil Supplies appearing for respondents states the respondents have no objection for release of the seized stocks subject to the petitioner furnishing a bank guarantee for their value and also subject to the petitioner keeping the bank guarantee alive till the disposal of the proceedings under Section 6A of the Essential Commodities Act, 1955 (for short 'the Act').

4. Therefore, this Writ Petition is disposed of directing the 2<sup>nd</sup> respondent to release the seized stocks to the petitioner on condition of the petitioner submitting a bank guarantee for their value as assessed by the 2<sup>nd</sup> respondent within a period of two (02) weeks from the date of receipt of a copy of this order, and subject to the petitioner keeping the said bank guarantee alive during the pendency of the proceedings under Section 6A of the Act. There shall no order as to costs.

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

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**M.S.RAMACHANDRA RAO, J**

01<sup>st</sup> December, 2015  
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