

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.42294 OF 2015

ORDER :

Petitioner's grievance is that the 2nd respondent seized 7,000 liters of PDS kerosene oil along with the oil tanker bearing No.AP 07 X 8841 under a panchanama dt.19.12.2015 on the ground of variations between the bill and physical stock.

2. Petitioner contends that he made application dt.24.12.2015 to the 2nd respondent seeking release of stock and oil tanker but the same has not been considered by the 2nd respondent till date.

3 The Government Pleader for Civil Supplies appearing for respondents, on instructions, states that the respondents have no objection for release of the seized stocks and vehicle to the petitioner 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. In view of the said submissions, this Writ Petition is disposed of directing the 2nd respondent to release the seized stock and vehicle to the petitioner on condition of the petitioner submitting a bank guarantee for its value as assessed by the 2nd respondent within a period of two 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. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

29th December, 2015.
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M.S. RAMACHANDRA RAO, J