

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION Nos.34181 of 2015

ORDER:

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

2. The petitioner is the owner of auto bearing No.AP 20 TC 1929. The said vehicle was seized by the police when it was found transporting PDS rice. The third respondent conducted panchanama and a case under Section 6-A of the Essential Commodities Act was registered before the second respondent in respect of the seized stock. The petitioner filed an application before the second respondent on 30.09.2015 for release of the auto, and when the said application was not considered, the present Writ Petition is filed.

3. This Court noticed that the seized auto is of the make of 2013. In the circumstances, instead of driving the petitioner to the Joint Collector, Warangal, for release of the auto, this Court feels that this is a fit case to direct release of auto bearing No.AP 20 TC 1929, on the petitioner furnishing a bank guarantee for a sum of Rs.75,000/- (rupees seventy five thousand only), within a period of two weeks from the date of receipt of a copy of this order, pending 6-A proceedings, and the petitioner shall file an undertaking that he will not transfer the auto and produce the same as and when required by the Joint Collector. It is needless to mention that the bank guarantee furnished would be subject to further orders passed by the Joint Collector, Warangal, in the pending 6-A proceedings.

4. The Writ Petition is, accordingly, disposed of. Miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

Date: 14.10.2015

TJMR

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