

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No. 40005 of 2015

ORDER :

Petitioner's grievance is that the 3rd respondent seized the stock of dall from his business premises under a panchanama dt.26.10.2015 on the ground that he contravened the provisions of the A.P. Scheduled Commodities Dealers (Licensing Storage and Regulation) Order, 2008 (for short 'Control Order'); and that though he had submitted explanation to the show cause notice dt.24.11.2015 issued by 2nd respondent with true facts and sought for release of the seized stock, his request was not considered.

2. It is not disputed that enquiry under Section 6-A of the Essential Commodities Act, 1955 is pending against the petitioner.

3 The Government Pleader for Civil Supplies appearing for the respondents, on instructions, states that the respondents have no objection for release of the seized stock to the petitioner subject to the petitioner furnishing a bank guarantee for its 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 submissions, this Writ Petition is disposed of directing the 2nd respondent to release the seized stock 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 dismissed.

M.S. RAMACHANDRA RAO, J

9th December, 2015.
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