

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.40314 of 2015

ORDER :

Petitioner's grievance is that the 3rd respondent seized the stock of rice from petitioner's lorry under a panchanama dt.21.06.2015 on the ground that he contravened the provisions of the A.P. State Public Distribution System(Control) Order, 2008 (for short 'Control Order') and that the 2nd respondent is not releasing the same to the petitioner though he is ready to furnish bank guarantee for their value.

2. The Government Pleader for Civil Supplies appearing for respondents on instructions states that the respondents have no objection for release of the seized stocks 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').

3. In view of the said 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 their 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.

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

M.S.RAMACHANDRA RAO, J

11th December, 2015
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