

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITIONS No. 14951 & 14952 OF 2015

COMMON ORDER:

Both these Writ Petitions are filed by the owners of the vehicle and the stock respectively.

The petitioner in Writ Petition No. 14951 of 2015 claims that she is the owner of Eicher van bearing Registration No. AP 31 TG 0299. The said vehicle is stated to have been seized on 07.05.2015 by the 3rd respondent on the ground that it was carrying essential commodities without any waybill from the shop of the petitioner in Writ Petition No. 14952 of 2015, and proceedings under Section 6-A of the Essential Commodities Act have been initiated. Both the petitioners made applications on 11.05.2015 to the 2nd respondent District Collector, with whom the proceedings are stated to be pending, seeking release of the vehicle as well as the seized stock, by specifically stating that they are ready to furnish bank guarantee to the extent of the value of the vehicle and the stock. Complaining that no orders have been passed on the said Applications, the present Writ Petitions have been filed.

Heard learned Government Pleader for Civil Supplies (Andhra Pradesh).

In view of the fact that the proceedings under Section 6-A of the Act are pending before the 2nd respondent and also in view of the fact that the Applications submitted by the petitioners for release of the vehicle and the seized stock are pending since 11.05.2015, it is appropriate that the 2nd respondent considers the matter and passes appropriate orders at least to the extent of their applications for release of the vehicle and the stock.

Therefore, both the Writ Petitions are disposed of directing the 2nd respondent to consider the respective applications of the petitioners for release of the vehicle and the stock and pass appropriate orders thereon within a week from the date of receipt of a copy of this order. However, it is made clear that the 2nd respondent District Collector is at liberty to impose appropriate conditions, if he thinks so, while releasing the seized vehicle and goods. No costs.

Consequently, the miscellaneous applications, if any shall also stand disposed of.

VILAS V. AFZULPURKAR, J

28th May 2015

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