

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

W.P.No.37755 of 2015

ORDER:

In this Writ Petition, the petitioners question the proceedings dt. 30.10.2015 of the 2nd respondent directing the 3rd respondent to take over possession of the stocks seized from the business premises of the petitioners and dispose of the same through public auction pending proceedings under Section 6A of the Essential Commodities Act, 1955.

Learned counsel for the petitioners states that the petitioners had made an application dt. 30.10.2015 to the 2nd respondent seeking release of the stocks seized from their respective premises and that the said application is not being disposed of by the 2nd respondent.

Learned Government Pleader for Civil Supplies states that no public auction as directed in the impugned order of the seized stocks could be conducted and that there is no objection if the seized stocks are directed to be released to the petitioners subject to the petitioners furnishing bank guarantee for the value of the seized stocks as determined by the 2nd respondent, and keeping the bank guarantee alive during pendency of Section 6-A proceedings before the 2nd respondent.

Having regard to the said submission, the Writ Petition is disposed of directing the 2nd respondent to release the seized stocks from the petitioners' business premises subject to petitioners' furnishing the bank guarantee for the value of the seized stock as determined by the 2nd respondent, and subject to the petitioners keeping the said bank guarantee alive during pendency of Section 6A enquiry before the 2nd respondent. The 2nd respondent is also directed to expedite Section 6A proceedings. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 23.11.2015

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