

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.18468 of 2015

ORDER:

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

The 1st petitioner is the owner of the shop and the 2nd petitioner is the owner of the auto, which was involved in 6A proceedings pending before the 2nd respondent. When the said proceedings are pending, the 2nd petitioner submitted an application on 12.06.2015 before the 2nd respondent for release of Mahindra Max auto bearing registration No.AP 37Y 1740 and when no orders were passed, the present writ petition is filed.

It is clear from the averments made from the affidavit filed in support of the writ petition, on 09.06.2015, PDS rice along with the auto was seized for violation of the provisions of the Essential Commodities Act, 1955, and a panchanama was conducted and 6A proceedings are pending against the petitioners. Now the 2nd petitioner filed an application before the 2nd respondent seeking release of the auto and the 1st petitioner was also sought release of the stock.

In the circumstances, the 2nd respondent is directed to release the stock upon furnishing bank guarantee to the market value to be furnished by the 1st petitioner and Mahindra Max auto bearing registration No.AP 37Y 1740 also shall be released to the 2nd petitioner on furnishing bank guarantee for a sum of Rs.50,000/- within

a period of 15 days from the date of receipt of a copy of this order. It is needless to mention that the 2nd petitioner shall not alienate the auto and produce the same before the 2nd respondent, as and when demanded, during pendency of 6A proceedings.

With the above observations and directions, this writ petition is disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions, if any pending in this writ petition, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 13.07.2015

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