

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.21037 OF 2015

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for respondents 1 to 3.

The petitioner is a licensee under the Andhra Pradesh Schedule Commodities Dealers (Licensing, Storage and Regulation), 2008 for purchase of, sale/storage of scheduled commodities. While so, on 31.10.2015, the 3rd respondent inspected the Rice Mill and found variations in the stock and proceedings under Section 6A of the Essential Commodities Act were initiated. Challenging the said proceedings, the petitioner filed W.P.No.34470 of 2014 before this Court and the same was disposed of directing the 3rd respondent to expedite the said proceedings and he was further directed not to sell the seized stock till the disposal of the said proceedings. The 2nd respondent issued show cause notice on 10.03.2015, in pursuance of which, the petitioner appeared before him on 28.03.2015 and the matter was adjourned to 28.04.2015, thereafter, to 30.05.2015 and again to 16.06.2015. On the application filed by the petitioner seeking release of the seized commodities, the 2nd respondent while passing order dated 22.06.2015 releasing the seized stock, permitted the petitioner to furnish bank guarantee for Rs.4,23,414/- . In the said order, there was no mention about rice. Seeking indulgence of this Court for releasing rice, the present writ petition is filed.

The 2nd respondent has already passed an order for release of the seized stock i.e. paddy and this Court is not inclined to interfere with the condition imposed by him. However, a show

cause notice was issued way back on 10.03.2015. Therefore, the 2nd respondent is directed to complete Section 6A proceedings as expeditiously as possible within a period of 60 days from the date of receipt of a copy of this order. In the meanwhile, the 2nd respondent shall also consider release of the seized rice on furnishing proper bank guarantee by the petitioner.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

Pending miscellaneous petitions in this Writ Petition, if any, shall stand closed in consequence.

A.RAMALINGESWARA RAO, J

09.07.2015
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