

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.10469 of 2015

ORDER:

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

This Writ Petition is filed seeking to declare the action of the 2nd respondent in issuing the proceedings dated 26.03.2015 by directing to sell the seized stock in public auction, as illegal and arbitrary.

Petitioner is the proprietor of M/s. Rajya Laxmi Traders, Marchal Village, Kalwakurthy Mandal, Mahaboobnagar District and doing rice business. On 25.2.2015, the 3rd respondent along with other officials inspected the business premises of the petitioner, verified the records & registers, found certain variations, seized the entire available stock and registered a case under Section 6-A of the Essential Commodities Act, 1955. On 4.3.2015, the petitioner filed a petition before the 2nd respondent for release of the seized stock. The 2nd respondent *vide* proceedings dated 26.03.2015 directed to sell the entire seized stock in public auction.

Learned counsel appearing for the petitioner submits that the 2nd respondent ought not to have passed the impugned order and if the seized stocks are sold in public auction, irreparable loss would be caused to the petitioner.

Having regard to the said submissions, this Writ Petition is disposed of with a direction to the respondents not to sell the seized commodities during pendency of proceedings under Section

6-A of the Essential Commodities Act, 1955, before the 2nd respondent. There shall be no order as to costs.

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

JUSTICE R. KANTHA RAO

13th April, 2015

rkk

Note: Issue CC by two days.

