

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.951 of 2016

ORDER :

Heard counsel for the petitioner and the Government Pleader for Civil Supplies appearing for the respondents.

2. In this Writ Petition, petitioner is challenging the seizure of stock by the 4th respondent from his Fair Price Shop pursuant to a mediators' report dt.23.12.2015, as well as the action of the 4th respondent in not permitting the petitioner to distribute the essential commodities.

3. The Government Pleader for Civil Supplies appearing for respondents on instructions states that the petitioner's Fair Price Shop Dealership authorization has not been suspended as of date. He also states that the respondents have no objection for release of the seized stocks to the petitioner, subject to the petitioner giving a bank guarantee for their value to the satisfaction of the 2nd respondent and keeping the said bank guarantee alive during the pendency of proceedings under Section 6A of the Act.

4. In view of the said submission, this Writ Petition is disposed of directing the respondents 2 to 4 to release the stocks seized from the petitioner's Fair Price Shop, to the petitioner on condition of the petitioner submitting a bank guarantee for its value as assessed by the 2nd respondent and subject to the petitioner keeping the said bank guarantee alive during the pendency of the proceedings under Section 6A of the Act. Since the petitioner's Fair Price Shop Dealership authorization has not been cancelled, the respondents shall permit the petitioner to distribute essential commodities from his Fair Price Shop. However, this will not preclude the respondents from initiating any enquiry against the petitioner under

the A.P. State Public Distribution System (Control) Order, 2008.

There shall be no order as to costs.

5. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

07th January, 2016.

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