

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

WRIT PETITION No.2017 of 2016

ORDER:

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

2. The petitioner is a trader in food grains possessing the licence issued by Agricultural Market Committee, Boath to do business in food grains.

3. Red-gram of 400 bags was being transported by petitioner on 09-01-2016 when it was being transported to Adilabad market in a lorry hired by petitioner. The petitioner claims to have purchased the said stock from certain farmers from Sarangapur Mandal, Adilabad District.

4. A case under Section 6-A of the Essential Commodities Act, 1955 (for short "the Act") has been registered against petitioner by 2nd respondent. An order dt.18-01-2016 has been passed by 2nd respondent for interim disposal of the said stock.

5. Learned counsel for petitioner states that petitioner is willing to furnish Bank Guarantee for the value of the stock as assessed by 2nd respondent pending disposal of enquiry under Section 6-A of the Act.

6. Learned Government Pleader also is agreeable for the release of stock to petitioner subject to petitioner giving Bank Guarantee for its value as assessed by 2nd respondent and also subject to petitioner keeping the said Bank Guarantee alive during pendency of proceedings under Section 6-A of the Act.

7. In view of the said submission, the 2nd respondent is directed to release the seized stock of red-gram from petitioner subject to petitioner giving a Bank Guarantee for its value as assessed by 2nd respondent and subject to petitioner keeping the said Bank Guarantee alive during pendency of proceedings under Section 6-A of the Act by 2nd respondent which shall be completed within three (03) months from today.

8. The Writ Petition is disposed of with the above directions. No costs.

9. As a sequel, miscellaneous petitions pending if any,

in this Writ Petition shall stand closed.

JUSTICE M.S. RAMACHANDRA RAO

Date: 25-01-2016

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