

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.34671 of 2016

ORDER:

Heard Mr. V.H.V.R.R. Swamy for petitioner and the Assistant Government Pleader (Civil Supplies) for respondents.

2. The petitioner challenges seizure of auto bearing No.AP 16 TE 1712 through panchanama dated 09.09.2016 as illegal, improper and beyond the jurisdiction of respondents. The petitioner alleges that he is the owner of subject auto and he has nothing to do with the rice seized through panchanama dated 09.09.2016. The petitioner further alleges that the rice has been received during and in the course of transport business of petitioner. If the seizure of auto for the alleged deviation of distribution of rice by the department is effected, the petitioner will suffer irreparable loss, injury and financial hardship. Further, the auto is the sole means of earning for the petitioner. Petitioner, subject to further orders the authorities may pass, requests the Court to direct release of vehicle subject to conditions.

3. The Assistant Government Pleader having regard to the make of the auto and the value shown in the panchanama submits that the petitioner can be directed to furnish bank guarantee for a sum of Rs.75,000/-.

4. I am satisfied the writ petition can be disposed of by this order.

Respondents 2 and 3 are directed to release the vehicle bearing No. AP 16 TE 1712 subject to petitioner furnishing bank guarantee for

a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) in favour of second respondent and shall further take all steps to keep the bank guarantee alive as long as the proceedings initiated through panchanama dated 09.09.2016 are subsisting.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

October 17, 2016
DSK

S. V. BHATT, J

