

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.40243 of 2015

ORDER:

The petitioner claims to be the owner of the Auto bearing No.AP 22 W 9478. This auto was seized by the excise authorities on 27.09.2015 in connection with PCOR No.406 of 2015-16, a case registered under the Andhra Pradesh Prohibition Act, 1995, in relation to transportation of illicitly distilled liquor. The grievance of the petitioner presently is with regard to the release of his vehicle which is stated to be the only means of his livelihood.

In the light of the aforestated facts, as it would not serve any purpose to allow the petitioner's auto to remain under seizure and as it has an adverse impact upon his livelihood, the writ petition is disposed of permitting the petitioner to make an application to the Deputy Commissioner, Prohibition and Excise, Mahabubnagar, the 4th respondent, for release of his auto. Thereupon, the 4th respondent shall take appropriate action in the matter. It shall be open to the 4th respondent to direct deposit of a reasonable amount as assessed by him apart from production of an undertaking from the petitioner to the effect that he would not alienate the vehicle or encumber the same pending further proceedings. This exercise shall be completed expeditiously and in any event, not later than one week from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:05.01.2016

GJ