

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.3451 of 2016

ORDER :

In this Writ Petition, petitioner is questioning the seizure of stock from the petitioner's rice mill by the Officials of the 4th respondent on 25.01.2016 under a panchanama.

2. Counsel for the petitioner contended that the suspicion of the respondents, that the seized stock of rice and kerosene pertains to Public Distribution System, is not correct; that the petitioner is eager to cooperate for the expeditious disposal of the case filed under Section 6A of the Essential Commodities Act, 1955 (for short 'the Act') against him; that the petitioner filed an application on 30.01.2016 before the 2nd respondent for release of the seized stock but the 2nd respondent is not releasing the same; and that the petitioner is willing to furnish a bank guarantee for the value of the stock seized and subject to the said condition the stock may be released to the petitioner.

3. The Government Pleader appearing for respondents did not oppose for release of stock to the petitioner on furnishing bank guarantee for the same.

4. In this view of the matter, the Writ Petition is disposed of directing the petitioner to furnish a bank guarantee for the value of the stock to the 2nd respondent and also to keep the said bank guarantee alive during the pendency of proceedings under Section 6A of the Act; subject to the petitioner acting in this manner, the seized stock be released to the petitioner by the 2nd respondent. The 2nd respondent shall also complete the proceedings under Section 6A of the Act against the petitioner within three (03) months from the date of receipt of a copy of this order. There shall be no order as to costs.

5. Consequently, miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

M.S.RAMACHANDRA RAO, J

05th February, 2016.
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