

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.38909 OF 2016

ORDER:

At request of respondents on 11.11.2016, time was granted. Learned Government Pleader for Civil Supplies submits that he has not received instructions and seeks further time.

The petitioner challenges proceedings M.C.No.237/2016 dated 02.11.2016 of 2nd respondent directing petitioner to submit bank guarantee for Rs.1,00,000/- as a condition precedent for release of auto bearing registration No.AP 16 TG 0363.

I have perused the material available on record and having regard to the peculiar fact situation of this case viz., that the auto was engaged by someone and the petitioner, it is alleged, is unaware of the implication of goods transported in his auto and also that the livelihood of the petitioner is dependant on the vehicle now seized, this Court, to meet the ends of justice, directs release of auto bearing registration No.AP 16 TG 0363 subject to the following conditions:

- (a) the petitioner is directed to furnish a bank guarantee for Rs.10,000/- (Rupees ten thousand only) together with the personal security bond for a sum of Rs.90,000/- to respondents 2 and 3 within three weeks from today;
- (b) the petitioner is directed firstly not to create third party interest and secondly undertakes to produce the auto as and when directed by respondents 2 and 3;

- (c) on the petitioner filing an undertaking together with bank guarantee, respondents 2 and 3 are directed to release the auto forthwith.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any pending, also stand disposed of.

26th December, 2016

Lrkm

S.V.BHATT, J

