

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.3284 OF 2016

ORDER :

In this Writ Petition, petitioners are seeking release of stock seized by the 4th respondent under a panchanama dt.07.09.2015, which has been handed over to the 3rd respondent, on suspicion that it was PDS rice.

2. Counsel for the petitioner contends that the rice, which is seized, was procured by the petitioners by selling Borugulu and that it is not rice which was diverted from any Fair Price Shop and that the petitioner had purchased the same by way of barter or sale from cardholders of Fair Price Shop, which is disputed by the learned Government Pleader for Civil Supplies.

3. However petitioners are seeking release of the stock by undertaking to furnish third party security for the value of the seized stock, to which the learned Government Pleader for Civil Supplies has stated no objection.

4. Therefore, the Writ Petition is disposed of directing the respondents to release the seized stock to the petitioners subject to the petitioners furnishing third party security for its value to the satisfaction of the 2nd respondent and keeping the said security available during the pendency of the proceedings under Section 6A of the Essential Commodities Act, 1955. There shall be no order as to costs.

5. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

09th February, 2016.
gra