

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 10676 of 2016

DATED 01ST APRIL, 2016

BETWEEN

M/s. Hanuman Sai Traders,
Rep. by its Proprietor Konda Laxman.

...Petitioner

And

The State of Telangana, rep. by its
Principal Secretary to the Consumer Affairs, Food
And Civil Supplies Department, Secretariat, Hyderabad and ors.

...Respondents.

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WRIT PETITION No. 10676 of 2016

ORDER:

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In this Writ Petition, petitioner is questioning the seizure of stock from the petitioner's mill premises by the respondent authorities on 10.03.2016 under a panchanama dt. 10.03.2016.

Learned Counsel for the petitioner contended that the suspicion of the respondents, that the seized stock of rice is PDS rice, is not correct; that the petitioner is eager to cooperate with the expeditious disposal of the case filed under Section 6A of the Essential Commodities Act, 1955 (for short 'the Act') against the petitioner; that the petitioner filed an application on 24.03.2016 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.

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

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 seized 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.

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

JUSTICE CHALLA KODANDA RAM

DATED 1ST APRIL, 2016.
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