

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.34773 of 2016

ORDER:

Heard Mr. V.H.V.R.R. Swamy for petitioner and learned Government Pleader (Civil Supplies) for respondents.

2. Petitioner claims to be the owner of Auto bearing No.AP 16 TE 1073. On 09.09.2016, panchanama was conducted by officers of second respondent and the vehicle is seized for illegally transporting rice. Though petitioner has explanation for the transport of rice on 09.09.2016, this Court is not referring to the reasons given by petitioner. In the present writ petition, the continued seizure of subject vehicle is complained.

3. I have perused the panchanama and I am satisfied that pending enquiry under the Essential Commodities Act, respondents 2 and 3 can be directed to release the vehicle bearing No.AP 16 TE 1073 subject to petitioner complying with the following conditions:

1. Petitioner furnishes bank guarantee for a sum of Rs.80,000/- (Rupees Eighty Thousand only) and the bank guarantee shall be kept alive till the proceedings under the Essential Commodities Act attain finality.
2. In addition to condition No.1, petitioner undertakes not to sell the vehicle and produce the same as and when directed by respondents.

The writ petition is ordered as indicated above. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

November 9, 2016
DSK