

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.9980 OF 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies appearing for the respondents.

The averments made in the affidavit would disclose that the petitioner is the owner of oil tanker bearing No.AP31-V-1249. On 25.12.2015 one Kota Srinivasa Rao purchased kerosene from cardholders and loaded the oil in tanker hired from the petitioner and while proceeding to Mopidevivarapu Village, Police intercepted the lorry and seized the stocks along with lorry on 28.12.2015. Thereupon, the petitioner along with owner of kerosene made an application before the 2nd respondent and the 2nd respondent in ECP No.8/2016 dated 28.02.2016 ordered for release of vehicle subject to condition of petitioner furnishing bank guarantee for a sum of Rs.4,00,000/- obtained from any Nationalized Bank in favour of Collector (CS), Krishna, Machilipatnam for a period of two years. Feeling the said condition to be onerous, present writ petition is filed by the petitioner.

Learned counsel for the petitioner submits that the petitioner being a poor person, it would be difficult for him to get the bank guarantee for Rs.4,00,000/- as directed by the 2nd respondent for release of his vehicle, which is essential for his day to day life.

Considering the facts and circumstances of the case and submissions made by the learned counsel for the petitioner, the Writ Petition is disposed of reducing the quantum of bank

guarantee ordered to be furnished by the petitioner from Rs.4,00,000/- (Rupees Four Lakhs only) to Rs.3,00,000/- (Rupees Three Lakhs only). Remaining portion of the impugned order stands confirmed.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

Justice Challa Kodanda Ram

29th March, 2016.

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