

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.34691 OF 2016

ORDER:

The case of petitioner is that the petitioner has been acquitted in C.C.No.89 of 2015 on the file of Judicial First Class Magistrate, Special Mobile Court, Machilipatnam. Therefore, the petitioner is entitled for release of fertilizers seized by the respondents. On 27.07.2016 by placing reliance upon Section 6 (C) (2) of the ~~Esse~~ntial Commodities Act, 1955 (for short 'the Act') a request for refund of sale proceeds realized from sale of stocks seized was made. Admittedly as on date, the order of acquittal in C.C.No.89 of 2015 has become final.

Having regard to the procedure under Section 6 (C) (2) of the Act, a request is made. Therefore, it is the bounden duty of 2nd respondent to consider and dispose of the representation strictly in accordance with law. Hence, the writ petition is ordered by directing 2nd respondent to pass orders on representation dated 27.07.2016 within four weeks from the date of receipt of a copy of this order.

The petitioner is given liberty to communicate copy of the order within one week from today.

Miscellaneous petitions pending if any shall stand closed.

S.V.BHATT,J

Date: 02.11.2016
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