

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.697 of 2016

ORDER :

Petitioner's grievance is that his vehicle i.e., Mahendra Bolero bearing registration No.AP 31 TC 3686 was seized pursuant to a mediators report dt.14.12.2015 and a case under Section 6A of the Essential Commodities Act, 1955 was registered against the persons who had taken the vehicle on hire from the petitioner.

2. Counsel for the petitioner contends that the vehicle will get damaged if it is left unused in the custody of the 2nd respondent and that although the petitioner had filed an application on 01.01.2016 seeking release of the vehicle, the 2nd respondent has not passed any orders.

3. The Government Pleader for Civil Supplies appearing for respondents states that the vehicle may be directed to be released subject to the petitioner furnishing bank guarantee for the value of vehicle as assessed by the 2nd respondent and keeping the said bank guarantee alive during the pendency of the said proceedings.

4. In view of the said submission, this Writ Petition is disposed of directing the 2nd respondent to release the vehicle i.e., Mahendra Bolero bearing registration No.AP 31 TC 3686, to the petitioner subject to his producing documents in proof of ownership of the said vehicle; giving a bank guarantee for the value of the said vehicle as assessed by the 2nd respondent; and keeping the said bank guarantee alive during the pendency of the proceedings under Section 6A of the Act against the alleged offenders. Petitioner shall also not alienate or encumber the vehicle pending the said 6A proceedings and shall also give undertaking to produce it as and when required in the above proceedings. There shall be no order as to costs.

5. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

07th January, 2016.
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