

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.17384 of 2016

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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 lorry bearing No.AP-27-W-5648. On 19.09.2015 his lorry was engaged for transportation of rice on payment of hire charges and when the lorry reached near Housing Board Colony, Guntur, the 3rd respondent intercepted the lorry and seized the stocks along with lorry under cover of panchanama. Thereupon, the petitioner made an application before the

2nd respondent seeking release of vehicle wherein the

2nd respondent passed the impugned order directing the petitioner to submit bank guarantee for a sum of Rs.4,84,000/- for release of the vehicle. 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 and eking out his livelihood by hiring the lorry, it would be difficult for him to get the bank guarantee for Rs.4,84,000/- 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.4,84,000/- (Rupees Four Lakhs Eighty Four Thousands only) to Rs.1,25,000/- (Rupees One Lakh Twenty Five Thousand only). Remaining portion of the impugned order stands confirmed. Further, it is made clear that

release of the vehicle will be subject to the final orders that may be passed in E.C. Act Case No.293/2015-S.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J.

6th June, 2016
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