

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.10138 OF 2016

ORDER:

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

Learned counsel for the petitioner submits that identical issue came up for consideration of this Court in W.P.Nos.13696, 13745 and 13923 of 2015, which were disposed of by common order dated 01.05.2015 and thus he prayed for passing of similar order in this writ petition also. Learned Government Pleader also conceded that the subject matter of the present writ petition is similar to that of the writ petitions referred above.

Order dated 01.05.2015 reads as follows:

“ Heard the learned counsel appearing for the petitioners and the learned Government Pleader for Civil Supplies appearing for the respondents 1 to 3.

2. These writ petitions are filed seeking to declare the action of the respondents in seizing the stocks of the petitioners without following the procedure prescribed under the Andhra Pradesh Scheduled Commodities Dealers (Licensing, Storage and Regulation) Order, 2008, as illegal and arbitrary.

3. The learned counsel appearing for the petitioners submits that the proceedings under Section 6-A of the Essential Commodities Act, 1955 (the E.C. Act, for short) have not been commenced so far and the petitioners have a fair case to succeed in the said proceedings.

4. According to the petitioners, if the seized stocks are sold in public auction during the pendency of the proceedings under Section 6-A of the E.C. Act, it would cause irreparable loss to them.

5. In view of the above, these writ petitions are disposed of directing the 2nd respondent not to dispose of the seized stock during the pendency of the proceedings under Section 6-A of the E.C. Act. The miscellaneous petitions, if any, pending in these writ petitions shall stand closed. No costs."

Having regard to the submissions of both the counsel, present writ petition is disposed of in terms of the order of this Court dated 01.05.2015 passed in W.P.Nos.13696, 13745 and 13923 of 2015. There shall be no order as to costs.

Miscellaneous petitions pending in the writ petition, if any, shall stand closed.

Challa Kodanda Ram, J

29th March, 2016.

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