

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 25950 of 2017

Order:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner states that he is a licensed trading rice miller, carrying on the business of milling paddy purchased from the farmers and others sources under license. He further states that no license is required for running a trading or non-trading rice mill. While so, on 01.07.2017 at about 3.00 PM, the Vigilance and Enforcement Officials intercepted the vehicle bearing registration No.AP-70-TC-9911 transporting rice bags at the outskirts of Bapatla town and seized 170 Quintals of common variety rice, 40 Quintals of another variety of rice and 200 Quintals of broken rice available in the vehicle on the ground that the vehicle was involved in the clandestine business of purchasing and diverting of PDS rice. Now the proceedings are pending before the second respondent. Though the petitioner filed a petition on 07.07.2017 seeking release of the seized stock, when no orders were passed, the present Writ Petition is filed.

In the facts and circumstances of the case and in view of non-passing of the order by the second respondent, this Court is inclined to dispose of the present Writ Petition with a direction to the second respondent to release the seized stock on condition of the petitioner furnishing bank guarantee for an amount of Rs.8,22,000/- (Rupees Eight Lakhs Twenty Two Thousand only) by taking necessary precaution with regard to evidence of the seized stock in further proceedings under Section 6-A of the Essential Commodities Act. As and when the petitioner furnishes the said bank guarantee the seized stock shall be released and

the release of the seized stock shall be subject to further orders to be passed by the second respondent in the proceedings pending before him.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

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A. RAMALINGESWARA RAO, J

Date: 04.08.2017

Note:

Issue CC in three days

(B/O)

Nsr

