

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.18077 of 2017

ORDER:

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

The prayer in the writ petition is as follows:

“To issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the seizure of lorry bearing No.MH-35-K-3600 of the petitioner on the alleged ground that the respondent No.1 in ECAC No.25/2017 File No.F1/268/2017 alleged that 65 bags of PDS rice 32.50 quintals under cover of panchanama dated 27.03.2017 by the 3rd and 4th respondents is illegal, arbitrary, violative of Articles 19(1)(g) of the Constitution of India and consequently, direct the respondents to release the seized lorry bearing No.MH-35-K-3600 of the petitioner and pass such other order or orders.”

It is the submission of the learned Government Pleader that already the proceedings under Section 6-A of the Essential Commodities Act were initiated by the Collector (CS), Warangal District i.e., respondent No.2.

Having regard to the above, the Writ Petition is disposed of and the petitioner is directed either to furnish bank guarantee for the value to be fixed by the RTA or to wait till disposal of Section 6-A proceedings by the Collector (CS) with a further direction to the Collector to conclude the proceedings under Section 6-A of the Act within two (02) months, at any cost, from the date of receipt of a copy of this order and the respondents are directed not to alienate the vehicle meantime.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 07.06.2017
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