

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.21590 of 2017

ORDER:

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

The prayer in the writ petition is as follows:

“To issue writ of mandamus declaring the action of the respondent No.2 herein in not releasing the seized stocks of Param 540 bags each 50 kg., worth 270 quintals amounting to Rs.1,08,000/- of 1st petitioner and lorry vehicle bearing No.AP-07-TA-6679 in favour of the 2nd petitioner on furnishing of personal bond for a sum of Rs.1,00,000/- as being illegal, arbitrary and in violation of principles of natural justice and consequently set aside the panchanama dated 21.06.2017 for seizure of cheer/param and lorry bearing No.AP-07-TA-6679 and to 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), Nalgonda.

Having regard to the above and in the result, the Writ Petition is disposed of while permitting interim custody of the vehicle to the petitioners subject to furnishing of bank guarantee for the value to be fixed by the RTA and to give undertaking affidavit not to alienate and to produce as and when required. Otherwise they have to wait till disposal of Section 6-A proceedings of the Act before the Collector (CS). The Collector (CS) is directed to conclude said 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.

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

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 03.07.2017
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