

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.12755 OF 2017

ORDER:

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

2. The only grievance of the petitioner in the present Writ Petition is the inaction on the part of the respondent authorities in concluding the enquiry initiated under Section 6-A of the Essential Commodities Act, 1955 (for short, 'the Act') pursuant to the mediator's report-cum-panchanama, dated 21.02.2009. Pursuant to the mediator's report, a case was also booked under Section 6-A of the Act on the file of 2nd respondent-Joint Collector (CS), Krishna District at Machilipatnam.

3. Earlier the petitioner herein approached this Court by way of filing W.P.No.3815 of 2009 and this Court granted interim direction on 03.03.2009 in W.P.M.P.No.4971 of 2009, directing the respondents therein to release the lorry bearing No.MH-25B-9584 together with 170 quintals of rice in 340 bags seized by respondents 2 and 3 therein in favour of the petitioner, subject to condition the petitioner furnishing 100% guarantee for the value of the goods to the satisfaction of the authorities concerned and with a further direction that the petitioner shall not sell or create any third party interest in the lorry and he shall give an undertaking before the authorities concerned for production of the lorry as and when required. It appears that the petitioner herein did not furnish the bank guarantee as directed by this Court. Now the

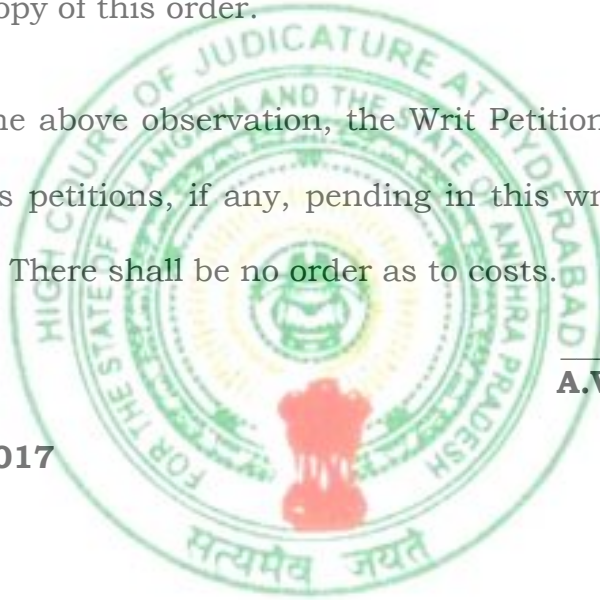
grievance of the petitioner in the present Writ Petition is non-conclusion of the enquiry initiated under Section 6-A of the Act.

4. Having heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies, this Court is of the considered opinion that the ends of justice would be served, if the 2nd respondent-Joint Collector, Krishna District at Machilipatnam, is directed to pass appropriate final orders on the enquiry initiated under Section 6-A of the Act, pursuant to the panchanama, dated 21.02.2009, within a period of three (03) months from the date of receipt of a copy of this order.

5. With the above observation, the Writ Petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

APRIL 18, 2017
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Date: 18.04.2017

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