

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.14849 OF 2017

ORDER:

The grievance of the petitioners in this writ petition is that the proceedings under Section 6-A of the Essential Commodities Act, 1955 (for short, "the Act") have been initiated against them and pending the same, the respondents are proposing to dispose of the seized stocks i.e., 224.60 quintals of rice and the vehicle i.e., Lorry bearing No.MH-35-K-2822.

2. Learned counsel for the petitioners contends that pending disposal of the 6-A enquiry, the seized stocks and the subject vehicle may not be disposed of and a time limit be fixed for completion of proceedings under Section 6-A of the Act. He also contends that the seized stocks and the subject vehicle are not perishable in nature and the petitioners are ready to furnish immovable property security for the value of the stocks and the subject vehicle.

3. Learned Government Pleader for Civil Supplies (TS) appearing for respondents states that the stocks and the subject vehicle seized from the petitioners are not perishable and that the respondents will complete the enquiry under Section 6-A of the Act within two months. It is further submitted by the learned Government Pleader that the petitioners herein may be directed to furnish the bank guarantee.

4. Having regard to the said submissions, this Writ Petition is disposed of, directing the respondents to complete 6-A proceedings initiated against the petitioners herein, within a period of two (2)

months from the date of receipt of a copy of this order and pending enquiry, the stocks and the subject vehicle seized from the petitioners may not be sold and if the petitioners offer to furnish immovable property security, the respondents may consider for releasing the stocks and the subject vehicle to them on their furnishing immovable property security for the value of the seized stocks and the subject vehicle.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed. There shall be no order as to costs.

25.04.2017
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JUSTICE A.V.SESHA SAI

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