

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

WRIT PETITION No.4670 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the impugned Notice dt.25-10-2016 bearing in E.C.Act Case No. 128/2016-57 directing the petitioner to submit the Bank guarantee for Rs.2,00,000/- for release of his lorry bearing Reg.No.AP-16-TC-1997 instead of third party surety as sought for him in the petition dt. 30-9-2016, as being illegal and arbitrary and consequently set aside the notice dt.25-10-2016 by directing the 2nd respondent herein to release the vehicle by accepting the third party surety for Rs.2,00,000/- instead of bank guarantee.”

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

3. Pending 6-A proceedings, on an application filed by the petitioner herein for release of the seized lorry bearing No. AP 16TC 1997, the Joint Collector, Guntur, vide notice E.C.Act Case No.128/2016-S7, dated 25.10.2016, directed the petitioner to obtain Bank Guarantee for Rs.2,00,000/- from any Nationalized Bank with a validity of one year in favour of Joint Collector, Guntur and submit the same within

seven days from the date of receipt of the notice for release the seized lorry.

4. Admittedly, in the present case, proceedings initiated under Section 6-A of E.C.Act are pending before the Joint Collector. Therefore, having heard the counsel for the petitioner and learned Government Pleader, this Court is of the considered opinion that the ends of justice would be served, if the Joint Collector – 2nd respondent herein is directed to complete 6-A proceedings initiated vide E.C.Act Case No.128/2016-S7, dated 25.10.2017, within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is disposed of, with the above direction. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

13.03.2017

A.V.SESHA SAI, J

*Note: C.C. three days.
B/o.SS*