

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE No.1917 of 2016

ORDER :

The Criminal Revision Case is filed against the order dated 04.05.2016 in CrI.MP.No.107 of 2016 in CrI.Appeal(S.R.) No.135 of 2006 passed by the Principal District and Sessions Judge, Ranga Reddy District at L.B.Nagar.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor representing the State of Telangana.

3. Perused the impugned order of the learned District Judge, dismissing the application to condone the delay of 1396 days in filing Section 5 limitation application in maintaining un-numbered CrI.Appeal(S.R.) No.135 of 2006 to impugn the order of 25% confiscation of the seized stock (high speed diesel) in the 6-A of the Essential Commodities Act, 1955 proceedings bearing case No.A7/ 465/ 11 dated 18.04.2012. In fact, for the seized stock released on condition of Rs.40,000/- bank guarantee furnished and 25% value out of it is ordered to be seized from the very order.

4. Now the contentions even going into the merits of the matter of the stock is a bio-diesel, which is exempted from the purview of Petroleum Control Order, 1980 is untenable in the absence of specific exemption. Once it is one of the undisputedly the petroleum products, thereby, on merits also once there is no case apart from no explanation to contend such a long delay much less within the purview to consider even out of pragmatic approach of showing existence of sufficient cause, there is nothing to interfere with the impugned order.

5. Accordingly, the Criminal Revision Case is dismissed.

6. Miscellaneous petitions, pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:18-01-2017
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