

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.26064 of 2017

ORDER

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

Challenging the inaction of the respondents in releasing the vehicle viz., Eicher DCM Bearing No.AP 29 TA 8558 of the petitioner, which was seized by respondent No.3, pending proceedings under Section 6-A of the Essential Commodities Act, 1955, the present writ petition is filed.

The petitioner claims that he is the owner of the said vehicle and is eaking out his livelihood by using the said vehicle.

It appears that the vehicle was seized along with the broken rice on 21.7.2017 under panchanama. Be that as it may, the present writ petition is filed for release of the said vehicle.

Learned counsel appearing for the petitioner submits that an application was filed on 5.8.2017 before the 2nd respondent and in spite of the same, the 2nd respondent did not pass any orders.

In view of the same, this Writ Petition is disposed of directing the 2nd respondent to release the seized vehicle to the

petitioner subject to condition of his furnishing bank guarantee for a sum of Rs.2,00,000/- (Rupees two lakhs only) with an undertaking that he will produce the vehicle as and when directed by the 2nd respondent and shall not alter or alienate the same during pendency of proceedings before the 2nd respondent. The petitioner shall produce necessary proof of ownership in order to claim release of the said vehicle. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

21st August, 2017
rkk

