

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.37325 OF 2017

O R D E R :

Though the writ petition is filed challenging the action of the respondents in seizing the stocks from the petitioner, this Court is not inclined to interfere with the same, as the petitioner has not challenged the jurisdiction of the authority in seizing the stocks. However, the petitioner can raise all his contentions in the enquiry under Section 6 A of the Essential Commodities Act (*for short 'the Act'*), before the 2nd respondent.

In view of the same, it is open for the petitioner to make application for release of the stocks and vehicle before the respondents and on such application, the 2nd respondent is directed to consider the same for release of vehicle as well as stocks on furnishing Bank Guarantee by the petitioner to the amount determined by the 2nd respondent. However, the same will be subject to orders passed under Section 6 A of the Act. Pending such exercise of considering the application of the petitioner, the seized stocks shall not be sold. The 2nd respondent is also directed to conclude the enquiry under Section 6 A of the Act, within a period of three months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

08.11.2017
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