

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP No.35758 of 2017

ORDER ::

The case of the petitioners is that stocks belonging to the 1st petitioner and vehicle belonging to the 2nd petitioner are seized by the 3rd respondent on the ground of illegally diverting the stocks (rice) meant for distribution under Public Distribution Scheme.

2. Learned counsel for the petitioners states that the petitioners made representations dated 18-10-2017 and 20-10-2017 to the respondents seeking release of the stocks and the seized vehicle on furnishing bank guarantee, to the value of the stocks and to the value of the seized vehicle, but no orders are passed on the same till date. Hence, this writ petition.

3. Heard learned Assistant Government Pleader for Civil Supplies.

4. Since it is stated that the stocks and the offending vehicle are involved in illegal transportation of rice meant for public distribution scheme, this Court is not inclined to interfere with the proceedings initiated under Section 6-A of the Essential Commodities Act before the competent authority. However, there shall be a direction to the 2nd respondent to release the offending vehicle in question on furnishing bank guarantee as security to the satisfaction of 2nd respondent and also consider the release of seized stocks on furnishing bank guarantee as security to the satisfaction of 2nd respondent. Before releasing the seized stocks, samples as required be drawn from the stocks for the purpose of enquiry under Section 6-A of the Act. The 2nd respondent is also directed to conclude the enquiry under Section 6-A of the Act as expeditiously as possible. The release of offending vehicle and stocks is subject to the orders that would be passed in the enquiry under Section 6-A of the Act.

5. With the above directions, the writ petition is disposed of. Miscellaneous petitions, if any pending in this case are also disposed of. There shall be no order as to costs.

A.RAJASHEKER REDDY, J

Dated: 07-11-2017
NRG

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