

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.35860 of 2017

ORDER:

The petitioner is represented by its Proprietor who is having rice mill. On 06.10.2017 the third respondent inspected the rice mill and verified the stock and registers. Alleging certain variations in the ground balance and the registers, the rice was seized and a report was submitted to the second respondent. Now proceedings under Section 6A of the Essential Commodities Act are taken up and the same are pending. The petitioner filed a petition for release of the said stock. When the second respondent passed an order on 22.10.2017 directing the Tahsildar to dispose of the seized stock pending final orders, the present Writ Petition is filed seeking a direction to the respondents to release the seized stock.

The petitioner submitted a representation for release of the stock. But, while rejecting the said representation, the impugned order was passed ordering for sale of the seized stock without indicating the reason for rejecting the request. Now, the petitioner is ready to furnish the bank guarantee for the said stock. The interest of the Government would not be prejudiced by releasing the seized stock to the petitioner on furnishing sufficient guarantee.

In the circumstances, the second respondent is directed to take samples of the seized stock for the purpose of further

enquiry and release the stock on the petitioner furnishing bank guarantee for the value of the seized stock.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

27.10.2017

Note: Issue C.C by 30.10.2017.

B/o.

vs

