

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.39404 OF 2017

ORDER:

The petitioner challenges the seizure dated 08-11-2017 in respect of ground nuts pods of 902 bags of each 50 kgs., 250 bags of groundnut seeds each 50 kgs including 52 bags of inferior quality of groundnut seed each 50 kgs on the ground that the petitioner has not produced any records with regard to said stock. Learned counsel for the petitioner submits that in fact at the time of inspection, there are no variations and the petitioner explained the same, but without taking that into account, the respondent-authorities seized the stock. He also submits that the petitioner has also made representation for release of stocks on 17-11-2017 before the 3rd respondent, but as on today no orders are passed. Aggrieved by the same, the present writ petition is filed.

Learned Government Pleader for Civil Supplies submits that since no stock registers are maintained and there are variations, the stocks have been seized.

As an application filed by the petitioner is already pending before the 3rd respondent, it is open for the petitioner to substantiate his case before him by filing necessary documents and the 3rd respondent shall take documents filed by the petitioner into consideration and pass orders on the application for release of the stocks. Learned Government Pleader says that seized stocks have been sold, which is disputed by learned counsel for petitioner. But, till passing of orders, the seized stocks shall not be sold, if not already sold. The 3rd respondent-Joint Collector shall also complete the enquiry under Section 6-A of the Essential

Commodities Act within a period of three months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of.
As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

22-11-2017

Note:

Issue CC in three days.

B/o.

Nvl





