

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.42276 OF 2017

ORDER:

This writ petition is filed challenging the action of the respondents in not initiating proceedings under Section 6 A of the Essential Commodities Act (*for short 'the Act'*), as the seizure is occurred on 23-06-2016.

Learned counsel for the petitioner states that though the 2nd respondent passed orders on the application of the petitioner directing the petitioner to deposit Rs.79,38,875/- i.e. 75% value of the seized stocks for release of the seized stocks, but the petitioner is not in a position to furnish the same. Learned counsel also states that though the stocks were seized on 23-06-2016, as on today no notice under Section 6-A of the Act is issued and that the seized stocks are not perishable in nature.

Learned Government Pleader for Civil Supplies produced written instructions, wherein there is no mention of issuing notice under Section 6-A of the Act.

In view of the above, the 2nd respondent is directed to conclude the enquiry under Section 6-A of the Act by issuing show-cause notice to the petitioner and after affording opportunity of hearing to substantiate his case. Till

conclusion of the enquiry under Section 6-A of the Act, the seized stocks shall not be sold.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

13-12-2017
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As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

07-11-2017
Nvl



