

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.40476 of 2017

ORDER:-

Heard Mr Maganti Satyanarayana, counsel for Karnataka Bank, Miryalaguda Branch/petitioner.

The petitioner aggrieved by the seizure effected through Panchanama dated 31.08.2017 raises several jurisdictional facts and also legal grounds.

According to petitioner, the stock now seized through Panchanama dated 31.08.2017 is pledged in favour of petitioner Bank. One of the submissions made by Mr M.Satyanarayana is that the stock which is seized by the Department is not the stock given by the Government for hulling and distribution through Civil Services Department. He contends that the birth marks or quality of the rice given by the Government and this paddy are different. Therefore, the panchanama is illegal and unconstitutional. I am afraid the 226 is converted to enquire into every aspect of irregularity in the case and decide rights of petitioner.

As stated at the beginning of the order that these are primary facts which are required to be investigated by the very authority which has seized the stock through Panchanama dated 31.08.2017.

The petitioner is a scheduled bank and in support of its case a few documents are also filed along with the affidavit. This Court to meet the ends of justice considers it appropriate to give opportunity to petitioner to file a claim/representation before respondent No.3 by enclosing a copy of this order within one (01) week from the date of receipt of copy of this order. The 3rd respondent is directed to consider claim/representation and pass orders as are deemed fit in this behalf within one (01) week from the date of receipt of copy of representation and communicate to the petitioner. Decision taken by the 3rd respondent shall be subject to further orders passed by this Court.

Writ petition is accordingly disposed of. No order as to costs.

Miscellaneous Petitions, if any pending, stand closed.

S.V. BHATT, J

04.12.2017

Note: CC in 2 days

(B/o) dv