

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.42754 OF 2017

ORDER:

Though, this writ petition is filed challenging the seizure of stocks from the petitioner vide proceedings dated 11-11-2017, this Court is not inclined to interfere with the same, as the petitioner has not challenged the jurisdiction of the authority in seizing the stocks. However, the petitioner can raise all his contentions in the enquiry under Section 6-A of the Essential Commodities Act (for short "the Act") before the 2nd respondent.

In view of the same, it is open for the petitioner to make application for release of seized stocks before the respondents and on such application, the 2nd respondent is directed to consider the same for release of stocks on furnishing bank guarantee by the petitioner to the amount determined by the 2nd respondent. However, the same will be subject to orders passed under Section 6-A of the Act. Pending such exercise of considering the application of the petitioner, the seized stocks shall not be sold. The 2nd respondent is also directed to conclude the enquiry under Section 6-A of the 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

15-12-2017

Note:

Issue CC in three days.

B/o.

Nvl



