

**HON'BLE THE CHIEF JUSTICE  
SRI THOTTATHIL B. RADHAKRISHNAN**

**AND**

**HON'BLE SMT JUSTICE T. RAJANI**

**WRIT APPEAL No.1246 OF 2018**

**JUDGMENT (ORAL):** (Per The Hon'ble The Chief Justice Sri Thottathil B. Radhakrishnan)

We have heard the learned counsel for the appellant, learned Government Pleader for Mines and Geology appearing for respondent Nos.1 and 2, and learned Government Pleader for Home appearing for respondent No.3.

2. Learned counsel for both sides concede that subject matter of this writ appeal is squarely covered by the judgment rendered by this Court in W.A. No.1014 of 2018 dated 2.08.2018.

3. Following the aforesaid judgment, in terms thereof, the order of the learned single Judge is modified directing the respondents to release the lorry of the appellant upon his furnishing a bank guarantee or security to a tune of Rs.1,00,000/- (Rupees one lakh only), to the satisfaction of respondent No.2 - The Assistant Director of Mines & Geology, Srikakulam, Srikakulam District. All other conditions stated in the impugned interlocutory order will continue to bind the appellant through out.

4. The Writ Appeal is ordered accordingly. There shall be no order as to costs.

As a sequel thereto, Miscellaneous Applications, if any, pending in the Writ Appeal stand closed.

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**THOTTATHIL B. RADHAKRISHNAN, CJ**

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**T. RAJANI, J**

**September 20, 2018.**  
PV / VA

