

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.43070 OF 2018

Date: 28.11.2018

Between:

M/s Mahaboob Traders, rep.by its Proprietor,
Mulla Abdul Subhan, s/o. Mulla Imam Hussain,
Aged 38years, Kanaguduru village, Duvvur Mandal,
YSR Kadapa district.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its
Principal Secretary, Civil Supplies Dept.,
Secretariat Buildings, Velagapudi,
Amaravathi, Guntur district and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims to have been appointed as wholesale dealer in Kadapa district on 19.07.2018, valid upto 18.07.2019, by Hindustan Domestic Oil & Gas Bombay Kerosene Oil in the wholesale market under the scheme of Parallel Marketing System. While so, raid was conducted on the petitioner premises and stock of white kerosene was seized from the premises and panchanama was recorded on how the stock was found and seized. Petitioner alleges that in view of the Government of India order dated 15.07.2018, white kerosene is no more essential commodity requiring observation of norms and, therefore, seizure is illegal.

2. On the contrary, learned Government Pleader points out that apparently there was adulteration of kerosene and, therefore, seizure is valid.

3. The Court is not entering into the rival claims on the issue since petitioner submitted application before the Joint Collector against seizure of kerosene and the application is pending before the Joint Collector. Writ Petition is disposed of, directing the Joint Collector to consider the application filed by petitioner, acknowledged by him on 20.11.2018, and pass orders within a period of two weeks from the date of receipt of copy of this order. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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