

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.46102 OF 2018

Date: 21.12.2018

Between:

P.Ali, S/o. Melakanna, Aged 30 years,
H.NO.26-89, Dhone, Kurnool district
(Owner of Lorry brg.No.AP-02-TC-4191)

.... Petitioner

and

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

...Respondents



The Court made the following:

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ORDER:

In this writ petition, petitioner is challenging the seizure of 560 rice bags, each weighing 50 kgs of rice and vehicle i.e., Lorry bearing registration No.AP-02-TC-4191, as illegal.

2. It appears that rice and vehicle were seized on the ground that petitioner purchased PDS rice from the card holders, therefore, liable for penal action.

3. Both counsel agreed for disposal of the Writ Petition with direction to conclude the proceedings under Section 6-A of Essential Commodities Act, 1955 expeditiously.

4. Respondents are directed to finalize proceedings under Section 6-A of Essential Commodities Act, 1955 expeditiously, preferably within a period of eight weeks from the date of receipt of copy of this order. However, pending finalization of Section 6-A proceedings, as rice is a perishable item, respondents are directed to release the stock of rice subject to petitioner furnishing bank guarantee to the extent of 50% of the value of stock quantified by competent authority and personal bond for remaining 50%, and to release the vehicle i.e., Lorry bearing registration No.AP-02-TC-4191 subject to petitioner furnishing 50% of the amount of value of the vehicle by way of bank guarantee.

5. Accordingly, Writ Petition is disposed of. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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