

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 2715 of 2019

O R D E R:

Petitioner asserts that his vehicle bearing No. RJ 09 GC 2788 was seized by the respondent authorities on the ground that he is transporting PDS rice.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies for the respondents.

This Court has already held that involving in the transaction of purchase of PDS rice for reselling, even assuming to be true, the same does not constitute an offence under the provisions of the Essential Commodities Act. In the present case, the petitioner is only transporting PDS rice, that too from the other State.

Therefore, the respondent authorities are directed to release the vehicle in question to the petitioner, subject to his furnishing Bank Guarantee for a sum of Rs.1,00,000/- (Rupees one lakh only) in favour of respondent No.2. It is made clear that furnishing of Bank Guarantee is subject to the final orders that may be passed by respondent No.2 in the enquiry.

Subject to the above, the writ petition is disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall also stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:13.02.2019

Note: Issue cc in two days.

(Bo)

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