

THE HONOURABLE MR JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.39625 of 2014

ORDER

Heard learned counsel for the petitioner, learned Government Pleader for Prohibition and Excise.

2. Petitioner states that he is engaged in purchase and sale of kirana, jaggery and rice in the name and style of M/s.Anjani Kiranam Jaggery and Rice Merchant at Bheemaram, Warangal District. He states that he holds a valid licence and his stock is sold under bunch of invoices. He states that on 15.11.2014, the third respondent raided his godown premises, seized various stocks and registered a case in COR No.770/2014-15. Petitioner states that sale, purchase and transportation of jaggery is not prohibited under law. However, on account of the seizure, he has already made an application dated 21.11.2014 before the Deputy Commissioner of Prohibition and Excise, Warangal, requesting for release of the said stock. A copy of the application filed along with the writ petition shows that the application was acknowledged by the Office of the Deputy Commissioner on 21.11.2014. The present writ petition is filed alleging inaction.

3. Learned counsel for the petitioner submits that the petitioner is prepared to give appropriate security equivalent to the value of the seized stock, which is stated to be Rs.7,19,433/-.

4. Learned Government Pleader for Prohibition and Excise states that the Deputy Commissioner would consider and pass appropriate orders by imposing appropriate conditions as he deems fit properly.

5. While the petitioner's application for release is pending for the last more than one month, I deem it appropriate to dispose of the writ petition by directing

respondent No.2-Deputy Commissioner to consider the petitioner's application for release and pass appropriate orders, preferably, within a week from the date of receipt of a copy of this order. The second respondent is free to impose appropriate conditions as he deems fit in the circumstances of the case.

6. The Writ Petition is accordingly disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V. AFZULPURKAR, J

24th December, 2014

Note:

Issue CC in two days.

(Bo)

sj