
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.16750 OF 2024

M/s. Jay Anand Food Industries .. Petitioner

Versus

The State of Maharashtra through the Police
Sub Inspector, Anti Extortion Squad & Ors. .. Respondents

Mr P.A. Pol i/b. Pol Legal Juris, Advocate for the Petitioner.

Ms Vrishali Raje, AGP for Respondent-State.

**Mr. Prashant D. Methar, Assistant Rationing Inspector-
Respondent No.2, Office of Controller of Ration is present in
Court.**

**Mr. Raju S. Masram, Supply Inspector, Tahsil Office Bhiwandi-
Respondent No.3 is present in Court.**

**CORAM: B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**

DATE : NOVEMBER 19, 2024

P. C.

1. The above Writ Petition is filed seeking the following reliefs:-

“(a) That this Hon’ble Court, by invoking its Writ jurisdiction under Article 226 of the Constitution of India, may issue a writ, Order or direction to unseal the business premises and withdraw the illegal detention of the commodities rice, whole wheat, wheat Atta and other material of the Petitioners, situated at 231/232, Miranda

*Industrial Estate, Bhadane Village, Padgha, Taluka Bhivandi,
District Thane.”*

2. Despite this prayer, the only relief pressed before us by the Learned Counsel appearing on behalf of the Petitioner, is for a direction to Respondents to unseal the business premises of the Petitioner. He seeks no relief regarding the detention of the commodities such as rice, whole wheat, wheat Atta and other material of the Petitioner situated at 231/232, Miranda Industrial Estate, Bhadane Village, Padgha, Taluka Bhivandi, District Thane. The Learned Counsel appearing on behalf of the Petitioner submitted that he has an alternate remedy available under the Essential Commodities Act, 1955 to challenge the seizure of any commodities.

3. Since this is the limited relief sought, we enquired from the Learned AGP as to under what provision of law was the business premises of the Petitioner sealed. In answer to this query, the Learned AGP submitted that the premises were sealed because the commodities in the premises, and which are to be seized, were voluminous and the concerned officials were not in a position to remove those commodities immediately. To ensure that the commodities are not siphoned away, the premises were sealed. On taking instructions, the Learned AGP stated that the commodities in the sealed premises of the Petitioner shall be removed from the premises within a period of two weeks from

today and the business premises of the Petitioner shall be immediately thereafter unsealed and handed over to the Petitioner.

4. Considering the above statement, we find that the grievance raised in the present Petition is now redressed. We accept the statement made by the Learned AGP and the Writ Petition is disposed of in terms of the said statement.

4. We make it clear that the remedies available to the Petitioner to challenge the seizure of any commodity stored in the business premises of the Petitioner are expressly kept open.

5. Though we have disposed of the above Writ Petition, we place the matter on Board for reporting compliance on **4th December, 2024**.

6. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.]

[B. P. COLABAWALLA, J.]