

**THE HON'BLE SRI JUSTICE BATTU DEVANAND****WRIT PETITION NO.29747 of 2022****O R D E R:**

Heard learned counsel for the petitioner and the learned Government Pleader for Civil Supplies and perused the material available on record.

2) Having heard the respective counsel and upon perusal of the material available on record, it is an admitted fact that subsequent to the seizure of the rice and vehicle, a proceedings under Section 6A are initiated before the 2<sup>nd</sup> Respondent, who is the competent authority. The illegality and validity of the seizure has to be decided by the 2<sup>nd</sup> Respondent in 6A proceedings.

3) However, considering the facts and circumstances of the case and in the light of the latest order passed by a Division Bench of this Court in **Onteru Bhaskar vs. State of Andhra Pradesh, represented by its Principal Secretary, Civil Supplies Department and others**<sup>1</sup> in our considered opinion, it is appropriate and reasonable to direct the 2<sup>nd</sup> Respondent to release the seized vehicle in favour of the

---

<sup>1</sup> 2022 SCC OnLine AP 348

petitioner on imposing certain condition, to protect the interest of the Respondents, pending disposal of the 6A proceedings.

4) Accordingly, the writ petition is disposed of with the following directions:

(i) The interim disposal order in Rc.CS1/6A/145/2021, dated 10.06.2022, issued by the 2<sup>nd</sup> Respondent is hereby set aside.

(ii) The Respondents shall release the lorry bearing No.AP 39 TB-1555 seized pursuant to the panchanama, dated 15.08.2021, in favour of the petitioner on condition of furnishing personal or third party immovable security property equivalent to the value of the seized stock in the said vehicle, within a period of two (02) weeks from the date of receipt of a copy of this order.

5) There shall be no order as to costs.

As a sequel, miscellaneous petitions, if any pending, shall stand closed.

---

**JUSTICE BATTU DEVANAND**

Dt.14.09.2022.

Issue CC today.  
ASH

105

**THE HON'BLE SRI JUSTICE BATTU DEVANAND**

**W.P.No.29747 of 2022**

Dt.14.09.2022

ASH