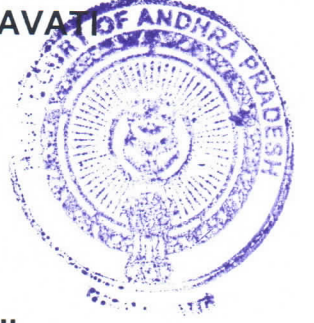


[3311]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY ,THE TWENTIETH DAY OF JANUARY

TWO THOUSAND AND TWENTY FIVE



:PRESENT:
THE HONOURABLE MS JUSTICE B S BHANUMATHI
IA No. 1 OF 2024
IN
WP NO: 31291 OF 2024

Between:

Dudekula Mohammad Khasim, S/o Mabu, Aged 45 years, Occ: Rice Mill Owner, R/o HNo:11-927, Ratnala Cheruvu, Sramika Nagar, Mangalagiri, Guntur.

...Petitioner/s

AND

1. The State of Andhra Pradesh, Rep. by its Prl. Secretary, Civil Supplies Department, Secretariat, Velagapudi, Guntur.
2. The Collector (CS), NTR District, Vijayawada.
3. Spl. Dy. Tahsildar, Jaggaiahpetta, NTR District.

...Respondent/s

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the orders of the 2nd respondent in E.C.P.No. 103/24 dated 18.12.2024 served on the petitioner on 20.12.2024 and direct the respondents 2 and 3 to release the stock to the petitioner herein

upon furnishing third party surety to the value of the stock pending disposal of the above writ petition.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri T SATYANARAYANA BABU Advocate for the Petitioner, GP FOR GP FOR CIVIL SUPPLIES for the Respondent Nos.1 to 3 and the Court made the following.

ORDER:

“This application is filed to suspend the orders of the 2nd respondent in E.C.P.No.103/24 dated 18.12.2024 served on the petitioner on 20.12.2024 and direct the respondents No.2 and 3 to release the stock to the petitioner herein upon furnishing third party surety to the value of the stock, pending disposal of the above writ petition.

The learned counsel for the petitioner submitted that the very same commodity which is shown to be purchased, it was ordered to be confiscated without duly appreciating the documentary evidence. He further stated that the petitioner is ready to furnish bank guarantee as a condition to release the stock, instead of confiscating the same.

The learned Assistant Government Pleader for Civil Supplies submitted that he had no written instructions, however submitted that in case, if this Court is inclined to pass any order for release of the stock, it may be ordered on furnishing bank guarantee. He further submitted that the petitioner has a remedy of preferring an appeal within 30 days from the date of receipt of the order.

In reply, the learned counsel for the petitioner submitted that the order had been received by the petitioner some time later after passing the order. He further requested to grant liberty to the petitioner to file appeal and to direct release of the stock.

Perused the record.

On consideration of the submissions made on both sides and the case pleaded, interim suspension as prayed for is granted by directing the release of the stock seized to the petitioner on his furnishing bank guarantee equivalent to the value of the stock as decided by the concerned authority."

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

Ch
SECTION OFFICER

For

To,

1. The Prl. Secretary, Civil Supplies Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur.[By Special Messenger]
2. The Collector (CS), NTR District, Vijayawada.
3. Spl. Dy. Tahsildar, Jaggaiahpetta, NTR District.(2, 3By RPAD)
4. One CC to SRI. T SATYANARAYANA BABU Advocate [OPUC]
5. Two CCs to GP FOR CIVIL SUPPLIES ,High Court Of Andhra Pradesh. [OUT]
6. One spare copy

HIGH COURT

BSB,J

DATED:20/01/2025

POST THE MATTER ON 03.02.2025

ORDER

IA.NO.1 OF 2024

IN

WP.No.31291 of 2024

INTERIM SUSPENSION

