

M/S.Pernod Ricard India Private ... vs Food Safety And Standards Authority Of ... on 28 February, 2022

Author: Madhav J. Jamdar

Bench: G.S. Patel, Madhav J. Jamdar

67-ASWP-8003-2021.

Arun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8003 OF 2021

Pernod Ricard India Pvt Ltd & Anr

...Petitioner

Versus

Food Safety and Standards Authority of India &
Ors

...Respondent

Mr Rajeev Talasikar, for the Petitioner.

Mr PG Sawant, AGP, for Respondents Nos. 3 & 4-State.

CORAM

G.S. Patel &
Madhav J. Jamdar, JJ.

DATED:

28th February 2022

PC: -

1. Rule.

2. Prima facie we are not satisfied that a laboratory such as the ARUN RAMCHNDRA one engaged by the Respondents was even qualified or authorized to SANKPAL carry out any analysis of the seized liquor. The Report is at Exhibit RAMCHNDRA "A", pages 47 to 49. The laboratory in question is on the red or 18:23:24 +0530 banned list as is evident from page 99.

3. Respondents Nos. 3 and 4 waive service. Humdast permitted for service on Respondents Nos. 1

and 2.

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4. For this reason, too, there will have to be an interim order in term of prayer clause (c) which reads thus:

"(c) Pending disposal of the present Writ Petition Stay Notice dated 28.07.2021, Exhibit B, and further proceedings on or arising out of or in relation to the adjudication application 59 of 2021, Exhibit C."

5. The Affidavit in Reply is to be filed and serve within a period of 12 weeks. A Rejoinder is permitted within a period of eight weeks thereafter.

6. List the matter in the normal course as per the CIS.

7. All concerned will act on production of a digitally signed copy of this order.

(Madhav J. Jamdar, J) (G. S. Patel, J) 28th February 2022