

Sri Bimal Kumar Modi vs Union Of India And Ors on 4 July, 2022

Author: Md. Nizamuddin

Bench: Md. Nizamuddin

OD -8

ORDER SHEET
WP0/157/2019
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

SRI BIMAL KUMAR MODI
VS
UNION OF INDIA AND ORS.

BEFORE:

The Hon'ble JUSTICE MD. NIZAMUDDIN

Date : 04TH JULY, 2022.

Appearance:
Mr. N. Chowdhury, Adv.
Mr. P. Bera, Adv.
..for the petitioner

Mr. K. K. Maiti, Adv.
For the respondent No.2

Mr. S. Sanyal, Adv.

Ms. M. Roy, Adv.

For FSSAI The Court: Affidavit-in-opposition filed in Court today be kept on record.

On perusal of the prayers made in the writ petition, it appears that petitioner has made a prayer for direction upon the respondents concerned to send fresh sample of imported goods in question under Bill of Entry No.7939802 dated 05th September, 2019 to any accredited laboratory under the Food Safety and Standard Acts, 2006.

Learned Advocates appearing for the respondent authorities submit that in view of the development taken place during the pendency of the writ petition, no relief can be granted to the petitioner in terms of the prayers ask for in the writ petition since the goods in question is no more in existence. It has already been disposed of as per the submission of the petitioner and as such the prayer of the petitioner in the writ petition has become infructuous. Petitioner if at all aggrieved by such action of

the respondents, it gives rise to a fresh cause of action and no relief can be granted in this writ petition.

Considering the submission of the parties, this writ petition being WPO No.157 of 2019 is disposed of without passing any further order in view of the observation made above.

(MD. NIZAMUDDIN, J.) A.Dey