

Amul Cooperative Milk Federation vs Union Territory Of J And K And Anr on 17 December, 2024

Author: Rajnesh Oswal

Bench: Rajnesh Oswal

S.No.52
Regular List

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 3210/2023
CM(7708/2023)
CM(1017/2024)

AMUL COOPERATIVE MILK FEDERATION ...Petitioner(s)/Appellant(s)
LIMITED

Through: Mr. Mir Reyaz Ahmad, Advocate

Vs.

UNION TERRITORY OF J AND K AND ANR.

...Respondent(s)

Through: Mr. Alla Ud Din Ganai, AAG with
Ms. Shaila Shameem, Advocate

CORAM:
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE
ORDER

17-12-2024

1. The petitioner is aggrieved of the order dated 14th November, 2023 passed by Adjudicating Officer under Food, Safety and Standard Act, 2006. The sole contention raised by the petitioner is that once the Adjudicating Authority had observed that the petitioner had not committed any offence, no penalty could have been imposed upon the petitioner. The respondents have chosen not to file the response and this Court also does not find need of any response from the respondents.

2. After perusing the order impugned, this Court is of the considered view that once the Adjudicating Authority has observed that the petitioner has not committed any offence, under the provision of Food, Safety and Standard Act, 2006, no penalty could have been imposed upon the petitioner.

3. Accordingly, the order dated 14th of November, 2023 to the extent of imposing minor penalty of Rs.5000/- against the petitioner is set aside.

4. Disposed of along with connected CM(s).

(RAJNESH OSWAL) JUDGE SRINAGAR:

17-12-2024 Mubashir