

Priya Sweets Through Its Proprietor ... vs The State Of Jharkhand on 4 August, 2021

Author: Rajesh Shankar

Bench: Rajesh Shankar

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 1317 of 2021
Priya Sweets through its proprietor Balvinder Singh, Ramgarh
... .. Petitioner
Versus
1. The State of Jharkhand
2. Deputy Commissioner, Ramgarh
3. Additional Collector-cum-Adjudicating Officer, Ramgarh
4. S.D.O-cum-Designated Officer, Ramgarh
5. Food Safety Officer, Ramgarh Respondents
CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Pratik Sen, Advocate For the Respondents : Ms. Sunita Kumari, AC to GP-I

02/04.08.2021 The present writ petition is taken up today through Video conferencing.

Mr. Pratik Sen, the learned counsel for the petitioner, submits that though the petitioner has statutory recourse of filing an appeal before the Food Safety Appellate Tribunal in terms with Section 70(1) of the Food Safety and Standards Act, 2006, yet the petitioner has directly challenged the order dated 12.02.2021 passed by the respondent no. 3 - the Additional Collector-cum-Adjudicating Officer, Ramgarh in Case No. 03/2020 by filing the present writ petition due to the reason that the said Appellate Tribunal is not functional in Jharkhand.

Ms. Sunita Kumari, AC to GP-I appearing on behalf of the respondents, prays for and is allowed four weeks' time to seek instruction and file counter affidavit on behalf of the respondents.

Let a separate counter affidavit be filed on behalf of the respondent no. 1 - the State of Jharkhand explaining the reason as to why the Food Safety Appellate Tribunal is not functional in the State of Jharkhand and by what time the same will be made functional.

Put up this case under the heading "For Admission" in the week commencing from 20.09.2021.

Till then, the operation of order dated 12.02.2021 passed by the respondent no. 3 - the Additional Collector-cum-Adjudicating Officer, Ramgarh in Case No. 03/2020 shall remain stayed, if the amount imposed upon the petitioner vide said order dated 12.02.2021 has not yet been realized.

(Rajesh Shankar, J.) Manish