

Tayyab Khan vs State Of U.P. And Another on 7 May, 2022

Bench: Surya Prakash Kesarwani, Ashutosh Srivastava

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 3

Case :- WRIT - C No. - 1208 of 2022

Petitioner :- Tayyab Khan

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Gaurav Singh Chauhan

Counsel for Respondent :- C.S.C.

Hon'ble Surya Prakash Kesarwani,J.

Hon'ble Ashutosh Srivastava,J.

Heard learned counsel for the petitioner and learned Standing Counsel for State-respondents.

This writ petition has been filed praying for the following relief:

"i. issue a writ of certiorari to quash order dated 27.7.2021 (Case No. 281 of 2019 (D201911170000281) (State versus Tayyab Khan) passed by respondent no. 2 under Section 51 of Food Safety and Standard Act, 2006 and quash the Recovery Certificate No. 20213619142000125 sum of Rs.50,000/- dated 4.9.2021 passed by Additional District Collector/Judicial Officer, Bulandshahar (respondent no. 2) under Section 51 of the Food Safety and Standards Act, 2006."

Against the impugned order, the petitioner has a right of appeal under Section 70 of the Food Safety and Standard Act, 2006, therefore, without expressing any opinion on merits of the case of the

petitioner, the writ petition is dismissed leaving it open for the petitioner to file an appeal before the competent authority.

In the event, such an appeal is filed within four weeks from today along with certified copy of this order, the same shall be decided by the competent authority in accordance with law, without raising any objection as to limitation.

Office is directed to return certified copy of the impugned order to the petitioner after retaining a photostat copy thereof in the records.

Order Date :- 7.5.2022 Ravi Prakash