

Raju vs State Of U.P. Thru. Secy. Food Safety ... on 19 December, 2023

HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH

?Neutral Citation No. - 2023:AHC-LK0:83739

Court No. - 18

Case :- WRIT - C No. - 11120 of 2023

Petitioner :- Raju

Respondent :- State Of U.P. Thru. Secy. Food Safety Deptt. Civil Sectt. Lko And 2 Others

Counsel for Petitioner :- Savitri Arya,Ambrish Kumar Dubey,Ravindra Kumar Verma

Counsel for Respondent :- C.S.C.

Hon'ble Shree Prakash Singh,J.

1. At the very outset, Shri Pankaj Khare, learned Additional Chief Standing Counsel appearing for the State has pointed out that the instant petition is not maintainable as against the order dated 09.10.2023, an statutory efficacious alternative remedy is available to the petitioner under Section 70 of the Food Safety and Standards Act, 2006 and the instant petition is liable to be dismissed on this ground.

2. On the other hand, learned counsel for the petitioner could not rebut the aforesaid fact but he submits that he may be given liberty to move an interim relief application before the appellate Court and the same be directed to be decided within stipulated period of time as may be fixed by this Court.

3. In view of the aforesaid submissions, the instant petition is dismissed with liberty to the petitioner to move an interim relief application along with the appeal before the appellate authority concerned and if such an application is filed along with the appeal, the appellate authority shall decide the same within a period of 30 days from the date of filing of the application.

Order Date :- 19.12.2023

-Amit K-