

Sunil Mishra vs State Of U.P. And Another on 1 November, 2022

Author: Manoj Misra

Bench: Manoj Misra

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 29

Case :- WRIT - C No. - 24691 of 2022

Petitioner :- Sunil Mishra

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Rajesh Kumar Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Manoj Misra,J.

Hon'ble Vikas Budhwar,J.

By this petition, the petitioner has challenged the order dated 23.6.2022 which is appealable under Section 70 of the Food Safety and Standards Act, 2006. However, as there was some confusion with regard to the constitution of the Appellate Tribunal, we had required the learned Standing Counsel to ascertain whether a notification has been issued constituting the Tribunal or not?

The learned Standing Counsel has filed an affidavit of the second respondent today. In paragraph-4 of the affidavit it is stated that the Appellate Tribunal has been constituted by notification dated 25.3.2014.

In view of above, the petitioner has alternative statutory remedy under Section 70 of the 2006 Act.

The petition is, therefore, disposed off by giving liberty to the petitioner to avail alternative statutory remedy.

Order Date :- 1.11.2022 N.S.Rathour