

Dayal Khoobchandani vs The State Of Madhya Pradesh on 12 September, 2024

Author: Dwarka Dhish Bansal

Bench: Dwarka Dhish Bansal

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C.R. No.558 of 2019

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE DWARKA DHISH BANSAL
ON THE 12th OF SEPTEMBER, 2024
CIVIL REVISION No.558 of 2019
DAYAL KHOOBCHANDANI
Versus
THE STATE OF M.P.

Appearance:

Shri Vidya Prasad, Advocate for applicant.
Shri Reji Mathai, Panel Lawyer for respondent-State.

ORDER

This civil revision has been preferred by the applicant challenging the order dtd.19.06.2019 passed by 9th Additional District Judge, Satna in Miscellaneous Civil Appeal No.31/2019 affirming the order dtd. 25.04.2017 passed by Judgmental Officer cum Additional District Magistrate, Satna in Case No.09/Food Safety/2016 whereby penalty of Rs.50,000/- was imposed on the applicant, which has been affirmed by the impugned order dtd.19.06.2019 for making breach of the provisions contained in Section 26(2)(ii) of the Food Safety and Standards Act, 2006 (in short 'the Act')

2. Learned counsel for the applicant submits that false case against the applicant was registered for the offences, which have not been proved by the respondent by adducing cogent evidence and no incriminating material was available on record to show that the applicant is guilty for the alleged offences and due to this reason, the applicant could not be proceeded even. The offences are not found proved against the applicant and the whole proceeding initiated by the respondent is vitiated, being against the provisions of law. With these submissions he prays for allowing the civil revision.

3. Heard learned counsel for the applicant and perused the impugned orders.

4. Along with other findings, Courts below have by the impugned orders found that on the food

packets only the words 'batch number', 'expiry date', 'packet number' are mentioned, but details of batch number, date of expiry or packet number, are not mentioned, which was necessary, as per provisions contained in Section 26(2)(ii) of the Act.

5. After arguments at length, learned counsel for the applicant has not been able to point out any perversity in the findings recorded by courts below.

6. Resultantly, this civil revision fails and is hereby dismissed.

7. However, no order as to costs.

8. Miscellaneous application(s), pending if any, shall stand closed.

(DWARKA DHISH BANSAL) JUDGE KPS Date: 2024.09.18 14:06:24 +05'30'