

K. M. Rathod, Food Safety Officer, ... vs State Of Gujarat on 7 December, 2022

Author: Gita Gopi

Bench: Gita Gopi

R/CR.MA/21704/2022

ORDER DATED: 07/12/2022

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION NO. 21704 of 2022

In R/CRIMINAL APPEAL NO. 2357 of 2022

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K. M. RATHOD, FOOD SAFETY OFFICER, RAJKOT MUNICIPAL
CORPORATION
Versus
STATE OF GUJARAT

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Appearance:

MR HRIDAY BUCH(2372) for the Applicant(s) No. 1

for the Respondent(s) No. 2,3,4

MR PRANAV TRIVEDI APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE GITA GOPI

Date : 07/12/2022

ORAL ORDER

1. Advocate Mr. Pinank Raiyani for Mr. Hriday Buch, learned advocate for the applicant submits that, no defence was raised under section 80 of the Food, Safety and Standard Act, 2006 before the adjudicating officer and for the first time such ground was raised before the appellate tribunal. Mr. Raiyani submitted that the order of fine was laid down on the accused.

2. Considering the submissions and the grounds R/CR.MA/21704/2022 ORDER DATED: 07/12/2022 raised, leave to appeal, is granted. The application stands disposed of.

(GITA GOPI,J) Pankaj