

S L Srinivasa vs The Additional on 9 September, 2024

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NC: 2024:KHC:36568
WP No. 42108 of 2015

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2024

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND
WRIT PETITION NO. 42108 OF 2015 (GM-RES)

BETWEEN:

1. S. L. SRINIVASA
S/O. LATE LAKSHMAIAH
AGED ABOUT 35 YEARS
INDEPENDENT DISTRIBUTOR
SUKHILIFE NUTRITION CENTRE
SOMESHWARA NAGAR
KADUR
CHICKMAGALUR

...PETITIONER

(BY SRI MANJU SUBBAIAH M., ADVOCATE)

AND:

1. THE ADDITIONAL
DISTRICT MAGISTRATE CUM ADJUDICATING
OFFICER
OFFICE OF THE DEPUTY COMMISSIONER

CHICKMAGALUR - 577 001.
2. TEH FOOD SAFETY OFFICER

TALUK HEALTH OFFICE
KADUR
CHICKMAGALUR DISTRICT - 577 548.
3. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY
VIDHANA SOUDHA
DR. AMBEDKAR VEEDHI
BANGALORE - 560 001.

...RESPONDENTS

(BY SRI S.H. RAGHAVENDRA., AGA)

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Digitally
signed by
VALLI

MARIMUTHU

Location:
High Court of
Karnataka

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR RECORDS FROM THE ADDITIONAL DISTRICT MAGISTRATE AND ADJUDICATING OFFICER, CHICKMAGALUR AND TO QUASH THE ORDER DTD:10.08.2015 COPY PRODUCED AND MARKED AS ANNEXURE-L AND ETC, .

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR JUSTICE K V ARAVIND

ORAL ORDER

This Court by order dated 05.09.2024 has observed as under;

"The petitioner has challenged the order under Section 68 of the Food Safety and Standards Act, 2006 wherein, penalty of Rs.5 lacks has been levied. The Court by order dated 05.10.2015 directed not to recover the penalty imposed. After the interim order, matter was listed on

02.12.2022, 01.02.2023, 14.02.2023, 27.05.2024 and 30.05.2024. Except on one date, there was no representation on behalf of the petitioner. In view of the non representation, the interim order deserves to be vacated. Accordingly, interim order dated 05.10.2015 is vacated.

As a final chance to enable the learned counsel for the petitioner to make submissions, re-list this matter on 09.09.2024 in the top of the list for 'dismissal'."

2. Even after final chance, there is no representation on behalf of the petitioner. It appears that NC: 2024:KHC:36568 the petitioner is not interested in pursuing this writ petition.

3. Accordingly, petition is dismissed for non-prosecution.

Sd/-

(K V ARAVIND) JUDGE DDU