

# Shri Amit vs The State Of Madhya Pradesh on 26 June, 2023

**Author: Vijay Kumar Shukla**

**Bench: Vijay Kumar Shukla**

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IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE  
HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA  
ON THE 26 th OF JUNE, 2023  
WRIT PETITION No. 14447 of 2023

BETWEEN: -

SHRI AMIT S/O VINOD KUMAR SANGHVI JAIN, AGED  
ABOUT 36 YEARS, OCCUPATION: BUSINESS R/O 33,  
INDUSTRIAL AREA, NEEMUCH (MADHYA PRADESH)

(BY SHRI VINAYAK BALCHANDANI - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH FOOD SAFETY  
OFFICER SHRI SANJEEV KUMAR MISHRA FOOD AND  
DRUG ADMINISTRATION, NEEMUCH (MADHYA  
PRADESH)

(BY SHRI SHANTNU CHOURASIA - G.A.)

This petition coming on for admission this day, the court  
following:

ORDER

In the instant petition, the petitioner is challenging the order dated 13/6/2023 passed by the respondent whereby his application to summon Food Analyst as defence evidence has been rejected. The petitioner is facing the prosecution under the provisions of Section 68 of the Food Safety and Standard Act, 2006.

2. Counsel for the petitioner submits that the aforesaid application has been rejected by a cryptic and non speaking order.

3. After hearing learned counsel for the parties and upon perusal of the of the impugned order, it is manifest that the aforesaid application has been rejected by a cryptic order without assigning reason. The impugned order dated 13/6/2023 is set aside. The authority is directed to reconsider the application filed by the petitioner and to pass a fresh order. It is further made clear that this Court has not considered the case of the petitioner on merit.

4. With the aforesaid, the petition is allowed and disposed off.

(VIJAY KUMAR SHUKLA) JUDGE Pramod