

Saleem Ahmad vs State Of U.P. And 5 Others on 25 June, 2021

Bench: Manoj Misra, Anil Kumar Ojha

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 40

Case :- WRIT - C No. - 12032 of 2021

Petitioner :- Saleem Ahmad

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Mohd. Afzal

Counsel for Respondent :- C.S.C.

Hon'ble Manoj Misra,J.

Hon'ble Anil Kumar Ojha,J.

Heard learned counsel for the petitioner; learned Standing Counsel for respondents 1 to 6; and perused the record.

The petitioner had a license for a meat shop under the Food Safety and Standards Act, 2006, which was valid up to 5th March, 2021. This license was suspended by order dated 7th March, 2020. The said order dated 7th March, 2020 was challenged in Writ C No.12552 of 2020 on the ground that the order of suspension was passed without opportunity of hearing. The writ Court by order dated 22nd September, 2020, upon finding that the order impugned was without opportunity of hearing, set aside the order dated 7th March, 2020 and granted liberty to the authority to pass fresh order in accordance with law.

The case of the petitioner is that since the proceeding was not brought to its logical conclusion and in the meantime the license of the petitioner expired, he applied for issuance of 'No Objection

Certificate' from the police station concerned to enable him to seek for renewal of the license.

The prayer in this petition is that the respondents be directed to grant 'No Objection Certificate' and restore the meat shop license already granted to the petitioner.

As, admittedly, the license for the meat shop of the petitioner has expired on 5th March, 2021 and there is nothing on record to show that an application for renewal of the license has been made by the petitioner, we decline the prayer of the petitioner, at this state, but leave it open to the petitioner to apply for renewal of the license in accordance with law. If any such renewal application is filed by the petitioner, it is expected that the authority concerned shall call for the necessary reports including whether there is any objection and shall consider the same in accordance with law expeditiously.

With the aforesaid liberty and observation, this petition stands disposed off.

Order Date :- 25.6.2021.

Rks.