

# **Manoj Shrinath Maurya vs The State Of Assam And 6 Ors on 8 August, 2022**

**Author: Sanjay Kumar Medhi**

**Bench: Sanjay Kumar Medhi**

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GAHC010046162022

THE GAUHATI HIGH COURT  
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1712/2022

MANOJ SHRINATH MAURYA  
S/O. SHRINATH MAURYA, (DULY CONSTITUTED ATTORNEY FOR  
PRINCIPAL VINOD SHREENATH MAURYA, PROPRIETOR OF KAMAKHYA  
ENTERPRISE, RUPAHIHAT, P.O. AND P.S. KHATUWAL, DIST. NAGAON,  
ASSAM, PIN-782125.

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, HEALTH AND  
FAMILY WELFARE DEPTT., ASSAM SECRETARIAT, DISPUR, GUWAHATI-06.

2:COMMISSIONER OF FOOD SAFETY

ASSAM  
COMMISSIONERATE OF FOOD SAFETY  
ASSAM  
GROUND FLOOR  
BLOCK-D  
ASSAM SECRETARIATE  
DISPUR  
GUWAHATI-781006.

3:DESIGNATED OFFICER

FOOD SAFETY  
O/O. THE JOINT DIRECTOR OF HEALTH SERVICES  
NAGAON  
ASSAM.

4:THE SENIOR FOOD SAFETY OFFICER

NAGAON  
MARIGAON

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HOJAI  
KARBI ANGLONG  
WEST KARBI ANGLONG  
OFFICE OF THE DESIGNATED OFFICER FOOD SAFETY  
NAGAON  
O/O. THE JOINT DIRECTOR OF HEALTH SERVICES  
NAGAON  
ASSAM.

5: SUPDT. OF POLICE

NAGAON  
DIST. NAGAON  
ASSAM  
PIN-782001.

6: THE OFFICER IN CHARGE

NAGAON  
SADAR POLICE STATION  
NAGAON-782001.

7: INVESTIGATION OFFICER OF NAGAON P.S. CASE NO. 2078/2021

NAGAON SADAR POLICE STATION  
NAGAON  
ASSAM  
PIN-782001

Advocate for the Petitioner : MR. P P DUTTA

Advocate for the Respondent : SC, HEALTH

Linked Case : WP(C)/1664/2022

ANIL KUMAR YADAV  
S/O. SIBU YADAV (DULY CONSTITUTED ATTORNEY FOR PRINCIPAL  
PRIYANKA MAURYA  
PROPRIETOR OF M/S KUMAR TRADERS AND COMPANY  
CHAIRMAN ROAD  
INSIDE BHIWANI MILL COMPOUND  
P.O. AND P.S. AND DIST. DHUBRI  
ASSAM  
PIN-783301.

VERSUS

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THE STATE OF ASSAM AND 6 ORS  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
HEALTH AND FAMILY WELFARE DEPTT.  
ASSAM SECRETARIAT  
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4:THE SENIOR FOOD SAFETY OFFICER

NAGAON  
MORIGAON  
HOJAI  
KARBI ANGLONG  
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IFFICE OF THE DESIGNATED OFFICER  
FOOD SAFETY  
NAGAON  
O/O. THE JOINT DIRECTOR OF HEALTH SERVICES  
NAGAON  
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NAGAON  
ASSAM  
PIN-782001.

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Advocate for : MR. P P DUTTA  
Advocate for : SC  
HEALTH appearing for THE STATE OF ASSAM AND 6 ORS

BEFORE  
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI  
ORDER

08-08-2022 Heard Shri T.J. Mahanta, learned Senior Counsel for the petitioners. Also heard Shri B. Gogoi, learned Standing Counsel, Health & Family Welfare Department.

While the learned Senior Counsel for the petitioners has submitted that there has been violation of the Food Safety and Standards Act, 2006 in taking the sample of the areca nuts which were given for examination, the learned Standing Counsel, Health & Family Welfare Department submits that the examination for the materials seized was admittedly not under the Act of 2006 but after seizure of the goods by the police in the connection of the police case and it is in the course of such investigation that the materials were given for examination as to whether it was still fit for human consumption.

At this stage, this Court directs Shri B. Deuri, learned Government Advocate to obtain the present status of the police case.

List these matters on 18.08.2022.

Interim order passed earlier to continue till the next date of listing.

JUDGE Comparing Assistant