

Shiv Shankar Sahu vs State Of U.P. on 1 April, 2024

Author: Ajit Kumar

Bench: Ajit Kumar

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2024:AHC:54867

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 2444 of 2024

Petitioner :- Shiv Shankar Sahu

Respondent :- State of U.P.

Counsel for Petitioner :- Abhay Raj Yadav, Neeraj Pandey, Shilpa Singh Sikarwar

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar, J.

Heard Sri Neeraj Pandey, learned counsel for the petitioner and Sri Sanjay Kumar Singh, learned Additional Chief Standing Counsel for the State respondent.

By means of this petition filed under Article 227 of the Constitution, petitioner before this Court wants expeditious disposal of the pending injunction application filed in Food Safety Appeal No.- 51 of 2021 as according to him the opposite party is proceeding with recovery pursuant to the order passed by the Additional District Magistrate (Administration) under Section 52 of Food Safety and Standard Act, 2006 dated 23rd September, 2021.

Upon the pendency of the application for seeking temporary stay/ injunction upon the order passed by the Additional District Magistrate (Administration) a report has been submitted by the District

Judge, Prayagraj dated 7th March, 2024 that matter of interim relief application has already been expedited.

At this stage, learned counsel for the petitioner states that 27th March, 2024 was fixed in the matter but since there was a direction for no adverse order, the matter could not be disposed of. He submits that opposite party is proceeding with recovery. In the circumstances, therefore, interim relief application may be directed to be disposed of expeditiously in a time bound period.

Learned Additional Chief Standing Counsel does not have any objection to the above request being acceded to.

In view of the above, this petition stands disposed of with with a direction to the appellate court hearing the Food Safety Appeal No.- 51 of 2021 to dispose of the pending interim relief application after giving full opportunity of hearing to the contesting parties, within a period of 30 days from the date of production of certified copy of this order.

Order Date :- 1.4.2024 Atmesh