

M/S Shiv Traders And Another vs State Of U.P. And 2 Others on 6 November, 2024

Author: Chief Justice

Bench: Chief Justice

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2024:AHC:173895-DB

Chief Justice's Court

Case :- FIRST APPEAL FROM ORDER DEFECTIVE No. - 972 of 2024

Appellant :- M/S Shiv Traders and another

Respondent :- State of U.P. and 2 others

Counsel for Appellant :- R.P.S. Chauhan

Hon'ble Arun Bhansali,Chief Justice

Hon'ble Vikas Budhwar,J.

1. This appeal has been filed by the appellants under Section 76(1) of the Food Safety and Standard Act, 2006 ('the Act') aggrieved of the order dated 14.5.2024 passed by the Additional District Magistrate (Administration), Budaun.

2. A perusal of the provisions of Section 76 of the Act reveals that appeal under Section 76 of the Act can be filed against order passed by the Special Court and Special Courts are constituted under Section 74 of the Act.

3. The order impugned has been passed by the competent authority under Section 68 of the Act and therefore, the appeal, as filed under Section 76 of the Act against the said order, is not maintainable.
4. In view thereof, the appeal is dismissed as not maintainable. The appellants would be free to take appropriate proceedings in accordance with law.

Order Date :- 6.11.2024 Mukesh Pal/nd (Vikas Budhwar, J) (Arun Bhansali, CJ)