

Saddam vs State Of U.P. And 2 Others on 17 February, 2021

Bench: Manoj Misra, Ravi Nath Tilhari

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 3

Case :- WRIT - C No. - 2866 of 2021

Petitioner :- Saddam

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- R.K Singh Gaharwar

Counsel for Respondent :- C.S.C.

Hon'ble Manoj Misra,J.

Hon'ble Ravi Nath Tilhari,J.

Heard counsel for the petitioner, the learned Standing Counsel for the respondents 1, 2 and 3 and perused the record.

A perusal of the record reveals that under the provisions of Food Safety and Standard Act, 2006, the petitioner was proceeded against for the use of Carbide to ripen fruits. In connection with the said proceedings, he was slapped with a fine of Rs. 2 lakhs.

Against that fine, the petitioner filed an appeal before the Food Safety Appellate Tribunal, Agra in which, on 17.10.2020, an interim order was passed subject to deposit of 50% of the fine within specified period.

The petitioner has not challenged the interim order dated 17.10.2020 passed by the District Judge, Agra but has prayed for fixation of instalments.

We are of the view that the said prayer cannot be accepted especially when the appeal of the petitioner is pending and the order passed in the appeal has not been challenged.

In view of the above, the writ petition is dismissed.

Order Date :- 17.2.2021 AKT