

Mughlian Restaurant And Anr vs Union Territory Of J&K And Ors on 4 July, 2022

Author: Sanjay Dhar

Bench: Sanjay Dhar

S. No.82
Supplementary

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) No.1431/2022
CM No.3446/2022

Mughlian Restaurant and Anr.

.....Petitioners

Through: Mr. Salih Pirzada, Advocate

V/s

Union Territory of J&K and Ors.

..... Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER

04.07.2022

1. The petitioners have filed the instant petition challenging e-tender Notice No.12 of 2022 dated 18.06.2022, issued by respondent No.4, on the ground that the said tender notice has been issued in violation of the Food Safety and Standards Act, 2006 (hereafter for short 'FSSAI Act') and the rules and regulations made thereunder.

2. The only ground projected by the petitioners in this petition is that through the medium of the impugned e-tender notice, the respondents are seeking to invite the bids for Group Outsourcing of Canteen Services at the Associated Hospitals of Government Medical College Srinagar in violation of FSSAI norms, though it is clearly indicated in the impugned tender notice that the tenders are to be submitted only by the registered Agencies/Firms under FSSAI norms for Group Outsourcing of Canteen Services at the Associated Hospitals of Government Medical College Srinagar. It has been further contended that in clause 21 of the conditions of impugned e-tender notice it is indicated that the diet facility will be subject to provisions of FSSAI Act and inspection of local Health

Authorities/Administration.

3. During the course of the arguments learned counsel for the petitioners has submitted that the petitioners would be satisfied if a direction is issued to the respondents to adhere to the provisions of FSSAI Act as well as the rules and regulations framed thereunder while finalizing the process of e-tendering initiated in terms of the impugned tender notice.

4. Having regard to the nature of the relief sought by the petitioner, the petition is disposed of with a direction to the respondents to adhere to the relevant norms prescribed under the Food Safety and Standards Act and the rules and regulations framed thereunder while finalizing the tenders invited vide impugned e-tender notice.

5. The petition stands disposed of accordingly. Copy of this order be sent to the respondents.

(SANJAY DHAR) JUDGE SRINAGAR 04.07.2022 Sarveeda Nissar