

## AO/171/2023 on 9 August, 2023

**Author: Vivek Bharti Sharma**

**Bench: Vivek Bharti Sharma**

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			A0 No.171 of 2023 Hon'ble Vivek Bharti Sharma, J.

Mr. Bindesh Kumar Gupta, Advocate for the appellant through V.C.

2. Mr. G.S. Negi, Addl. C.S.C. for the State.

3. Learned counsel for the appellant would submit that this is the appeal against the judgment and order dated 24.12.2022 passed by Food Safety Appellate Tribunal, Dehradun whereby the appeals filed by the appellant against the order of the Adjudicatory Officer have been dismissed. He would submit that there is a delay of 68 days in filing the present appeal; that, as per Section 71(6) of the Food Safety and Standards Act, 2006, the period of limitation is 60 days and; that, the delay has occurred on account of the fact that the judgment passed by the Tribunal on 24.12.2022 was communicated to the appellant on 03.04.2023.

4. Per contra, learned counsel for the State would submit that as per Section 76 of the Food Safety and Standards Act, 2006 before hearing on any of the application, the proposed appellant has to deposit the entire amount of penalty imposed. He, however, prays for some time to file reply/objections to the Delay Condonation Application.

5. Let objections be filed within two weeks with advance copy to the counsel for the appellant.

6. List on 31.08.2023.

(Vivek Bharti Sharma, J.) 09.08.2023 Rajni