

Ram Chandra Agarwal vs The State Of Jharkhand And Others on 28 July, 2022

Author: Sanjay Kumar Dwivedi

Bench: Sanjay Kumar Dwivedi

IN THE HIGH COURT OF JHARKHAND, RANCHI

W.P.(Cr.) No.327 of 2021

Ram Chandra Agarwal	--	Versus	-- Petitioner
The State of Jharkhand and Others			 Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Ajay Kumar Sah, Advocate For the State :- Mrs.Vandana Singh, Sr.S.C.-III

5/28.07.2022 It appears from the counter affidavit that designated officer has already requested the Commissioner, Food Safety-cum- Additional Chief Secretary, Department of Health, Government of Jharkhand, Ranchi to accord necessary sanction for launching the prosecution against the accused persons from the concerned court in the light of section 31(ii)(e) of Food Safety and Standards Act, 2006. The allegation against the petitioner is with regard to oils which are not within the standard of the said Act and straightway this petition has been filed for release of the said oil. There are procedure prescribed in the Act for launching prosecution and for adjudicating the same. The provision for Appellate Tribunal is also prescribed in the Act.

Accordingly, the Commissioner, Food Safety-cum-Additional Chief Secretary, Department of Health, Government of Jharkhand, Ranchi shall take decision at Annexure-B within two weeks as in absence of decision the petitioner is remediless.

Post the matter on 23.08.2022.

(Sanjay Kumar Dwivedi, J.) SI/