

# Sunil Kumar Modanwal vs State Of U.P. And 5 Others on 4 August, 2022

**Bench: Manoj Kumar Gupta, Yogendra Kumar Srivastava**

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 21

Case :- WRIT - C No. - 22117 of 2022

Petitioner :- Sunil Kumar Modanwal

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Mohd. Nizam Uddin, Nafis Ahmad

Counsel for Respondent :- CSC

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Dr. Yogendra Kumar Srivastava, J.

Although several reliefs have been claimed in the writ petition, but at the time of making oral submission, learned counsel for the petitioner has pressed only relief no. 2, which is for a direction to respondent no. 2 to decide Misc. Appeal No. 15/2021, filed by the petitioner under Section 70 of the Food Safety and Standards Act, 2007, within a specified time frame. The appeal is pending before respondent no. 2 since the year 2020.

We find that the appeal was filed along with an application under Section 5 of the Limitation Act to condone delay.

We direct the appellate tribunal to decide the delay condonation application and appeal expeditiously, preferably within a period of six weeks from the date of receipt of true attested copy of the instant order.

The petition stands disposed of accordingly.

(Dr. Y.K. Srivastava, J.) (Manoj Kumar Gupta, J.) Order Date :- 4.8.2022 Jaideep/-