

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2680 OF 2014

DFS India Private Limited & Anr. Petitioners

Vs.

Union of India & Ors. Respondents

Mr. Janak Dwarkadas, Senior Counsel with Mr. Ashish Kamat, Mr. Abhay Jadeja, Mr. Vaibhav Singh & Mr. Varun Satiya i/by M/s. Crawford Bayley & Co. for the Petitioners.
Mr. Rui Rodrigues i/by Mr. Dushyant Kumar for Respondent No.1.

Ms Sneha Singh i/by Ms Yogita R. Singh for Respondent No.2.

Mr. Anurag Gokhale, AGP, for Respondent No.3-State.
Mr. Pradeep S. Jetly for Respondent Nos.4 & 5.

CORAM: S.C. DHARMADHIKARI &
B.P. COLABAWALLA, JJ.

DATE : AUGUST 31, 2016

P.C:

1. Mr. Dwarkadas, Senior Counsel, tenders additional affidavit and affidavit in rejoinder on behalf of the petitioners. The same are taken on record.

2. In para 4 of the additional affidavit, the petitioners

state thus:-

“4. I say that subsequent to the filing of the present Writ Petition, on 3rd June, 2016, Respondent No.2 issued a Notification under section 16(5) of the said Act (**'Notification'**), stating that duty free shops would be outside the ambit of said Act and Regulations made thereunder. The relevant portion thereof, has been reproduced herein below:

2.After due consideration of representations received from various stakeholders, the above mentioned issue has been re-examined and it has been decided that Duty Free Shops would be outside the ambit of Food Safety and Standards Act, 2006 and Regulations made thereunder. Accordingly, clause 14.3 of the notice referred to above stands deleted with immediate effect till such time the import regulations are finally notified.

A copy of the Notification dated 3rd June, 2016 is hereto annexed and marked as **Exhibit '1'.**”

In view of the averments and statements in para 4 and in the light of the contents of Exhibit-1 to the additional affidavit, which is a direction issued by the Food Safety and Standards Authority of India, dated 3-6-2016, Mr. Dwarkadas states that he has received instructions from the petitioners not to press this writ petition.

3. The writ petition is disposed of as not pressed in the light of the above.

(B.P. COLABAWALLA, J.)

(S.C. DHARMADHIKARI, J.)