

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

[Special Original Jurisdiction]

MONDAY THE TWENTYEIGHTH DAY OF MARCH
TWO THOUSAND AND SIXTEEN

PRESENT
HONOURABLE SRI JUSTICE S.V. BHATT

WRIT PETITION NO. 22958 OF 2012

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Between:

Reckitt Benckiser [India] Limited.
Represented by Mr. Amith Jain,
Regional Commercial Manager,
Southern Region,
Branch Office Boduppal, Hyderabad. ... Petitioner

V/s.

The Commissioner & Director of Agriculture,
Department of Agriculture,
Government of Andhra Pradesh
Hyderabad & Anr. ... Respondents

Counsel for the Petitioner : Sri K. Priyadarshan Reddy

Counsel for the Respondents: GP for Agriculture

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE S.V. BHATT

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WRIT PETITION NO. 22958 OF 2012

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ORDER:

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The petitioner prays for mandamus declaring the order dated 30/3/2012 and 18/6/2012 of respondent No.2 as illegal, arbitrary and unreasonable and further prays for a direction to release the products seized by respondent No.2 vide order dated 30/3/2012 to petitioner and also permit petitioner to sell the products which are stopped from sale through order dated 18/6/2012.

2. Sri K. Priyadarshan Reddy appearing for petitioner having regard to passage of time from the date of filing of the writ petition till date, submits that the order prohibiting petitioner from selling the products was for a period of thirty days from 18/6/2012 and with the completion of thirty days the order has worked out and the prayer is for all purposes rendered infructuous. Therefore, he does not pressed the first prayer.

3. Adverting to second prayer, it is submitted that the

second respondent seized the products by order dated 30/3/2012 and the seizure is in force as on the date. The shelf-life of these products was over long ago and the petitioner has to represent to the second respondent to lift the seizure for the limited purpose of safe and secure disposal of expired products. For the said purpose, the petitioner requests the Court to permit him to represent to respondents and the same is directed to be considered by the respondents within reasonable period.

4. Without examining the merits, I am satisfied the writ petition can be disposed by this order. The petitioner is given four weeks' time from today to represent to respondents for appropriate orders for safe and secure disposal of products seized and/ or expired.

The respondents on receipt of such representation pass orders within four weeks thereafter and ensure that the products are disposed of as per directions and also under the supervision of second respondent to prevent deleterious effect to environment.

5. The writ petition is disposed of with the above observation. No order as to costs.

6. As a sequel, miscellaneous petitions if any, pending in

this writ petition shall stand closed.

JUSTICE S.V. BHATT

28/03/2016
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HONOURABLE SRI JUSTICE S.V. BHATT

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Date: 28/03/2016
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Court Master: I s L