

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.25060 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the action of the second respondent in interfering with the manufacturing, sale and supply of the petitioner's bio-products like Dare, Levent, Commender, D-Guard, Range, Fresh, Rdx,

D-Flower, D-Max, Balance, Logic, I-Con, Temper, Duster, Force, Deeksha, Race, Star Kill, Clear, Protect, King, Profit, Remove, Royal, Suraksha, Escort, Duster Plus, All Star, Fire, Eliminate, Samrat, Deeksha Growth Rasa, Micro Power, Speed and Shakti Man, which contains Amino Acid and Sea-Weed Extract, by issuing Memo No.PP.II(1)2085/2005, dated 21.01.2006 and the consequential letter No.PP.II(1)2085/2005, dated 21.01.2006 as illegal, arbitrary, unconstitutional, without jurisdiction and further direct the second respondent not to interfere with in any manner with the bio-products of the petitioner including from the licensed premises of its dealers/stockists under the Insecticides Act, 1968 and the Fertilizers Control (Order) Act, 1985.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Agriculture.

3. Learned counsel for the petitioner states that the subject matter in this writ petition is squarely covered by the common order passed by this Court in W.P.No.25293 of 2014 and batch dated 10.07.2015. He further submitted that this Court followed the same decision in W.P.No.6422 of 2016. It is not the case of the respondents that the orders passed by this Court in Writ Petition No.25293 of 2014 and batch has been stayed or suspended as on today. Therefore, it is binding on the respondents.

4. Accordingly, this Writ Petition is disposed of in accordance with and in terms of the orders of this Court dated 10.07.2015 in W.P.No.25293 of 2014 and batch. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 28.07.2016

lvd