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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) No.58/2016 & CM No.367/2016 (for stay).

T.D. INDUSTRIES PRIVATE LIMITED Petitioner

Through: Mr. Vivek Kohli, Mr. Nalin Talwar
and Ms. Anubha Singh, Advs.

versus

COMMISSIONER (FOOD SAFETY), GOVERNMENT
OF NCT OF DELHI.

..... Respondent

Through: Mr. Devesh Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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06.01.2016

CM No.368/2016 (for exemption).

1. Allowed, subject to just exceptions.
2. The CM stands disposed of.

W.P.(C) No.58/2016 & CM No.367/2016 (for stay).

3. The petition impugns the Notification dated 25th March, 2015 of the respondent Government of National Capital Territory of Delhi (GNCTD) to the extent that it includes chewing tobacco and other scheduled tobacco products within its ambit.

4. The counsel for the petitioner states that the said question is pending consideration in W.P.(C) No.3362/2015, W.P.(C) No.3674/2015, W.P.(C) No.3724/2015 and W.P.(C) No.4477/2015 and that several other petitions making the same challenge have been disposed of by directing that the decision in the aforesaid four petitions would bind the parties therein also. Copies of some of the orders are annexed to the writ petition. He further states that the present petition be also similarly disposed of.

5. The counsel for the respondent GNCTD appearing on advance notice has no objection.
6. Accordingly, the petition is disposed of with the observation that any benefit enuring to the petitioners in W.P.(C) No.3362/2015 will also be extended to the petitioner herein and conversely, the order of dismissal of W.P.(C) 3362/2015 would also bind the petitioner herein.
7. No costs.
8. Needless to state that in terms of other orders, the respondent GNCTD will also not take any coercive action against the petitioner also in pursuance to the Notification dated 25th March, 2015 till the interim order dated 8th April, 2015 in W.P.(C) No.3362/2015 is in force.
9. *Dasti* under the signatures of Court Master.

RAJIV SAHAI ENDLAW, J

JANUARY 06, 2016
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