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

+ W.P.(C) 1174/2016

M/S KBS CERTIFICATION SERVICES PVT LTD..... Petitioner
Through: Mr. Rajeeve Mehra, Sr. Advocate with
Mr. Dheeraj Nair, Mr. Sidharth Sethi and Mr.
Kunal Mimani, Advs.

versus

NATIONAL ACCREDITATION BOARD FOR CERTIFICATION
BODIES AND ORS Respondents
Through: None

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
% **12.02.2016**
CM Appl.5140/2016

Exemption allowed, subject to just exceptions.

W.P.(C) 1174/2016 & CM Appl. 5139/2016

The present writ petition has been filed challenging the NABCB orders dated 10th July, 2015 and 09th December, 2015 insofar as they reject the petitioner's appeal qua the withdrawal of accreditation of Quality Management System (QMS).

By the impugned order dated 09th December, 2015, the petitioner's accreditations qua Environmental Management System Certification (EMS), Occupational Health and Safety Management System Certification (OHSMS), Food Safety Management System Certification (FSMS) and Energy Management System Certification

(EnMS) have been restored.

A perusal of the paper book reveals that petitioner has now filed a second appeal before respondent No.3 under NABCB Procedure BCB 201 along with an application for stay.

However, Mr. Mehra, learned senior counsel for the petitioner states that respondent No.3 has, till date, not considered the petitioner's application for stay and no notice has been issued in the petitioner's second appeal despite several reminders. He further states that as a consequence, the petitioner is suffering irreparable harm and injury.

Keeping in view the aforesaid, present writ petition and application are disposed of with a direction to respondent No.3 to decide the petitioner's stay application as expeditiously as possible preferably within a period of fifteen days.

Respondent No. 3 is also directed to dispose of the petitioner's appeal as expeditiously as possible.

However, this Court clarifies that it has not expressed any opinion on the merits of the controversy. The rights and contentions of all parties are left open.

Order dasti.

MANMOHAN, J

FEBRUARY 12, 2016
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