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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9166 OF 2014**

Amol Prakash Sinnarkar ... Petitioner
vs.
Commissioner Food Safety
Food & Drug Administration & Ors. ...Respondents

Mr. Mandar Limaye i/b. Ms. Veera V. Shinde for the petitioner.
Ms. Aparna D. Vhatkar, AGP, for the respondent nos.1, 2, 5 and 6.
Ms. Neha Singh for the respondent nos.3 and 4.
Mr. R. M. Pethe for the respondent no.7.

**CORAM : A.S.OKA, &
A. K. MENON, JJ.**

DATE : 24th APRIL, 2017

PC.

1. Heard the learned counsel appearing for the petitioner. Though in the prayer clause (a) it is mentioned that Writ of Quo Warranto is prayed for, in fact, we find that all the prayers for substantive reliefs namely prayer clauses (a) to (e) seek a writ of mandamus. Before approaching the Writ Court under Article 226 of the Constitution of India, the petitioner has not approached the concerned authority with a representation seeking justice. There is no averment to that effect in the petition.
2. Therefore, in the light of the law laid down by the Apex Court in the case of *Saraswati Industrial Syndicate v/s. Union of India*¹, this writ petition cannot be entertained. Accordingly, the writ petition is disposed of.
3. This order will not prevent the petitioner from making a representation before the appellate authority.

(A. K. MENON, J.)

(A. S. OKA, J.)