

CWP No. 14298 of 2017

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IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 14298 of 2017
Date of decision : August 30, 2017

Aries Agro Ltd.

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CWP No. 14300 of 2017

Aries Agro Ltd.

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CWP No. 15181 of 2017

Indo Organics Pvt. Ltd.

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CWP No. 15182 of 2017

Indo Organics Pvt. Ltd.

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CWP No. 3669 of 2017

GSP Crop Science Pvt. Ltd.

..... Petitioner

Versus

State of Punjab and others

..... Respondents

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CWP No. 10894 of 2017

M/s Hindchem Corporation

..... Petitioner

Versus

State of Haryana others

..... Respondents

CWP No. 11399 of 2017

Dinkal Agro Products Pvt. Ltd.

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CWP No. 12328 of 2017

Krishi Rasayan Exports Pvt. Ltd.

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CWP No. 4015 of 2017

Gujrat Mineral

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

**Present:- Mr. Rakesh Verma, Advocate and
Mr. Manish Verma, Advocate
for the petitioner.**

Mr. Ashok Muthreja, DAG., Haryana.

**Mr. Saurav Khurana, DAG., Punjab and
Ms. Deepali Puri, Addl. A. G. Punjab.**

RAKESH KUMAR JAIN, J (oral).

This order shall dispose of nine cases bearing CWP Nos.

14298, 3669, 4015, 10894, 11399, 12328, 14300, 15181 & 15182 of 2017.

The facts are being taken from CWP No. 14298 of 2017 as the lead case.

The petitioner is a Private Limited Company. It is in the business of manufacturing Bio-Products. The petitioners are alleging that the State of Punjab is not giving permission to sell its Bio- Products. He has further submitted that in an earlier case bearing **CWP No.12536 of 2011** titled as M/s Biostadt India Ltd. Vs. State of Haryana and others decided on 4.2.2016, certain directions were issued, including that the petitioner would submit its sample for testing by the State authorities and if it is found that the Bio-products are not substitutes for insecticides then the petitioner would not require any permission from the State Government for the purpose of its sale.

He has also referred to another decision of this Court in **CWP No.13719 of 2016** titled as Godrej Agrovet Ltd. Vs. State of Punjab and others by which a bunch of writ petitions were disposed of by this Court.

Counsel for the respondents have submitted that the petitioner is free to submit chemical component as referred to in para 3 of its reply “chemical components of its product along with data trial regarding its efficacy of its use and affect on humans and animals, then the respondent shall be able to process its case.” It is also submitted that the “directions may be issued to the petitioner to submit the required material to respondent No.2 so that a decision may be taken regarding permission to sell or manufacture the products after seeing whether the products manufactured by the petitioner comes within the purview of FCO and/or Insecticide Act, or not.”

Counsel for the petitioner has submitted that he would submit the required sample to the concerned authority of the State who may be directed to test the sample along with data trial regarding efficacy of its use and affect on humans and animals, within a given time. The moment the respondents shall receive the said sample and data trial, referred to above, it would be processed/tested in the laboratory of the respondents expeditiously and the result of the same shall be communicated to the petitioner within a period of one month.

With these observations, all the petitions are hereby disposed of.

It is needless to mention that the cost of testing the sample shall be borne by the petitioners.

(RAKESH KUMAR JAIN)
JUDGE

August 30, 2017
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No