

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 172 OF 2018

CAFE TATO, THR. ITS PARTNER,
DINESH G. DHURI AND 2 ORS.,

... Petitioners

Versus

STATE, THR. FOOD SAFETY OFFICER,
SHRADHA KHUTKAR.,

... Respondent

Shri Ashwin D. Bhobe, Advocate for the Petitioners.
Shri S.R. Rivankar, Public Prosecutor for the Respondents.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 22nd November 2018

ORAL ORDER:

Heard Shri A. D. Bhobe, learned Advocate for the petitioners.

2. Shri S.R. Rivankar, learned Public Prosecutor waives notice on behalf of the respondents and concedes that the matter requires reconsideration taking into account the finding in the impugned order that the sample tested is on dry basis or otherwise.

3. In view thereof, the impugned order is quashed and set aside and the matter including the cross examination is remanded to the learned Collector for re-determination giving sufficient opportunity of hearing to the parties. The petition accordingly

stands disposed off. All contentions of the petitioners are kept open for consideration before the learned Collector.

NUTAN D. SARDESSAI, J.

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