

**203 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 6444 of 2016 (O&M)

Date of Decision: 26.10.2018.

M/s C.M.L Buffalo Calf Meat

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. B.S. Bali, Advocate for
Mr. Mandeep S. Sajjan, Advocate,
for the petitioner.

Mr. Vikas Mohan Gupta, Addl. AG Punjab.

JITENDRA CHAUHAN.J.(ORAL)

Through the instant Civil Petition, the petitioner-firm seeks direction to the respondents to issue licence under Food Safety and Standard Act 2006 (for short “the Act”) in favour of the petitioner.

It is contended that the petitioner is a partnership firm under the name and style “M/s C.M.L. Buffalo Calf Meat. In the month of January, 2016, the Government of Punjab, Department of Forests & Wildlife Preservation, Zoological Park, Chhatbir, Punjab published an advertisement inviting tenders for the supply of feed and fodder for the Zoological Park. A Purchase Committee was constituted. The tender submitted by the petitioner was accepted.

Thereafter, the petitioner applied for the issuance of licence under the aforesaid Act. As no response was received from respondent No.4, the petitioner approached the Director Health

Services, Punjab, Chandigarh by submitting a representation dated 17.03.2016. Meanwhile, the petitioner has been called upon by the Zoological Park to supply 19 kilograms buffalo meat everyday except Friday. The petitioner is unable to supply material for want of issuance of licence.

On the other hand, the factum of filing the application has been admitted by the respondents. However, it has been stated that the petitioner has not deposited the required fee. It is further contended that against the refusal of licence, an appeal lies to the Commissioner of Food Safety in terms of Section 31(8) of the Act.

Heard.

Keeping in view the fact that the required licence fee has not been deposited by the petitioner and the petitioner straightway has approached this Court without availing the remedy of statutory appeal, the present Civil Writ Petition is dismissed at this stage.

However, the petitioner is at liberty to move appeal in terms of Section 31(8) of the Act before the Commissioner, if so advised.

26.10.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No