

\$~48

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

+ W.P.(C) 985/2018

DIPESH GOSWAMI & ANR Petitioners
Through : Mr. Mehtaab Singh Sandhu, Adv.
versus

UNION OF INDIA & ORS Respondents
Through : Mr. Rajesh Gogna and Mr. Akhilesh
Kumar, Advs. for R-1&2 with Dr.
Anup Kainthola, Quarantine Inspector

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **10.04.2018**

1. Learned counsel for the respondents says that a counter affidavit was filed with the Registry on 9.4.2018 vide diary No.104558.

1.1 A copy of the counter affidavit has been shown to me, in court, today. I am also informed by counsel for the petitioner that a copy of the counter affidavit has been served on him as well.

2. A perusal of para 6 of the counter affidavit shows that the respondents have taken the decision to allow the export of 200 Murrah Milking Buffaloes and 200 Murrah Milking Calves subject to following conditions :

I. "No Objection Certificate" from National Biodiversity Authority for Export of Live Animals.

II. Provide following details of Individual animals for 200 Murrah Miling Buffaloes and 200 Murrah Milking Calves.

- a. Pedigree details.
- b. Milk Production Details (individual animal, Dam's and Sire's Dam).

3. Counsel for the petitioners says that the petitioners are willing to fulfil the conditions set out in para 6 of the counter affidavit which have been extracted above by me.

3.1 Furthermore, counsel for the petitioners says that in these facts and circumstances, he has instructions not to press the petition any further.

4. The writ petition is, accordingly, disposed of with a direction to the respondents to give requisite permission for the export of 200 Murrah Milking Buffaloes and 200 Murrah Milking Calves within a reasonable time upon fulfilment of the conditions stipulated by them in para 6(I) & (II) of their counter affidavit.

4.1 I may also indicate that counsel for the respondents has made it clear that the condition adverted to in para 6(III), of their counter affidavit, is not mandatory. This submission has been made by counsel for the respondents based on the instruction of Dr. Anup Kainthola, Quarantine Inspector, who is present in court.

5. Accordingly, the writ petition shall stand consigned to record.

RAJIV SHAKDHER, J

APRIL 10, 2018/mk