

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.24942 OF 2010

ORDER

Aggrieved by the action of the respondent in interfering with the manufacturing and sale of bio-products of the petitioner by issuing memo dated 21.01.2006, the present writ petition is filed.

This court while admitting the writ petition on 05.10.2010, passed a detailed interim order with certain conditions, which reads as follows:

"There shall be interim directions as follows:

- a. It shall be open to the petitioner to submit a sample of 5 Kg. of each product dealt with by them, together with the corresponding literature throwing light upon the manufacturing process as well as the contents thereof, to the respondent herein;
- b. Within (8) weeks from the date of submission of the samples and the literature by the petitioner, the respondent shall get the same analyzed in a suitable laboratory and intimate the result of the analysis to the petitioner;
- c. In case, the analysis reveals that the products dealt with by the petitioner answer the description of the products mentioned in Schedule – III to the Control Order, the petitioner shall be entitled to deal with the product only after obtaining licence under the Control Order. On the other hand, if the result is found otherwise, the petitioner shall not be subject to the regime under the Control Order of the Act; and
- d. If the respondent fails to intimate the result of the analysis within eight (8) weeks from the date of submission of the samples and the literature, it shall be open to the petitioner to deal with the products, notwithstanding the impugned letter on the memo, as long as the products are not insecticides or chemicals.

It is also made clear that in the event the respondent receives any complaints from the ryots with regard to the quality of the bio-products supplied by the petitioner, it shall be open to the respondent to take necessary action in accordance with law."

No counter affidavit is filed till date.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Agriculture.

Having regard to the facts and circumstances of the case, the writ petition is disposed of in terms of the interim order dated 05.10.2010.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:05—12—2019
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