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(1) CWP-34219-2019

VS.

(2) CWP-34031-2019

VS.

.....

products, his instructions are that no such application was ever

received in the office of the Director of Agriculture, Punjab. The copy of the application dated 2.9.2019 (Annexure P-1) does not contain any acknowledgement in proof of receipt thereof by the authorities concerned. So is the case with Annexure P-1 dated 2.9.2019 in CWP-34031-2019, pertaining to the State of Haryana.

Reference in this regard may also be made to the order of this Court dated 4.2.2016 in ***CWP-12536-2011***, titled ***M/s Biostadt India Ltd vs. State of Haryana and others***, whereby a learned Judge of this Court observed that any manufacturer producing any bio-product which is not strictly covered by the definition of '*insecticide*' or '*fertilizer*' in the Insecticides Act, 1968, and the Fertilizer (Control) Order, 1985, may apply to the Director of Agriculture, seeking permission to sell such a product in the State giving particulars of the products, either being manufactured or being imported for sale, along with the brand name and the contents of the said product. The learned Judge further observed that the competent authority would be entitled to get the samples tested in a laboratory and in the event it was found that the product did not fall within the ambit of '*insecticides*' or '*fertilizers*', as defined, necessary permission may be granted.

In the light of the aforesaid facts, it is for the petitioner-company to submit a comprehensive application along with samples of the products that it seeks to market in the States of Punjab and Haryana. As the matter stands, there is no proof of any such comprehensive application having been made by the petitioner-company.

In that view of the matter, no orders are required to be passed in either of these cases at this stage. The writ petitions are accordingly disposed of, leaving it open to the petitioner-company to make a proper application, as indicated supra, to the concerned authorities, if they wish to market any bio-products in the States of Punjab and Haryana.

No order as to costs.

A copy of this order be placed in the connected file.

(SANJAY KUMAR)
JUDGE

29.11.2019

preeti	
whether speaking/non speaking	yes/no
whether reportable/non reportable	yes/no