

03.11.2022
sayandeep
Sl. No. 12
Ct. No. 05

WPA 3477 of 2022

Kanha Industries Limited
-Versus-
The State of West Bengal & Ors.

Mr. Kanishk Kejriwal
Mr. Pranav Sharma

.....for the petitioner

Mr. Samrat Sen
Mr. Subhendu Sengupta

.....for the State

The petitioner has challenged an order passed by the adjudicating officer dated 24th January, 2022. By the said order, the petitioner's food sample was found to be sub-standard under The Food Safety and Standards Act, 2006.

Learned A.A.A.G appearing for the State respondents places Sections 68, 70 and 71 of the said Act to submit that the impugned order is appealable in nature. Counsel further places orders of 10th January, 2022 and 17th January, 2022 issued by the Health and Family Welfare Department of the Government of West Bengal which show that a retired member of the West Bengal Judicial Services has joined as the Presiding Officer of the West Bengal Food Safety Tribunal under Section 70 of the Act from 3rd January, 2022.

Since the order placed before the Court show that the appellate Tribunal constituted under the Act is functioning as on date, the petitioner is given leave to

approach the said Tribunal for adjudicating of the subject matter of the dispute.

WPA 3477 of 2022 is disposed of on the above basis.

(Moushumi Bhattacharya, J.)