

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
WRIT PETITION NO.4119/2010

M/s Virgin Mobile India Ltd.

.... Petitioner

- Versus -

The State of Maharashtra and another

...Respondents

None for the Petitioner.

Mr. A.A. Madiwale, Assistant Government Pleader
for Respondent No. 1.

CORAM : NITIN JAMDAR AND
ANIL L. PANSARE, JJ.

DATE : 4 MAY 2022

P.C. :

We are not inclined to adjourn the Writ Petition any further, which is pending since the year 2010. The subject matter of this Petition is the five packages of Starter Kit containing SIM Card, Stall Up Booklet and Customer Application Form, which according to the Respondents, would have to be returned to the Petitioner on deposit of ₹ 18,000/-.

2. The Petitioner has challenged the notice issued to the Petitioner by the Inspector of Legal Metrology, Nagpur, dated 9 July 2010, stating that these five packages do not conform to the provisions of the Standard of Weights and Measures Act, 1976, the Standards of Weights and Measures (Package Commodities) Rules, 1977 and the Standards of Weights and Measures (Enforcement) Act, 1985 and the case is referred to the Court of Judicial Magistrate First Class for breach of the provisions of the said Acts. The Respondents have already initiated action in the Court of Judicial Magistrate First Class and the summons was issued in the year 2010. There is no interim relief in this petition. The case may have been taken to its logical end. If it is pending, the questions raised by the Petitioner in this Petition are kept open and to be considered in the pending proceedings.

3. The Writ Petition is accordingly disposed of.
Rule is discharged. No order as to costs.

(ANIL L. PANSARE, J.)

(NITIN JAMDAR, J.)

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