



\$~22

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

+ **W.P.(C) 1519/2024 & C.M.No.6334/2024**

SALIM

..... Petitioner

Through: None

versus

COMMISSIONER OF FOOD SAFETY & ORS. Respondents

Through: Mr.Arun Panwar, Advocate for
Mr.Santosh Kumar Tripathi, standing
counsel for R-1 to 3.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

02.02.2024

%

1. Present Public Interest Litigation (PIL) has been filed seeking complete ban over manufacturing, storage and distribution/sale of any tobacco products in the market. The petitioner also prays for complete ban over advertising, manufacturing, selling, promotion and sponsorship of any tobacco product in any form including surrogate advertisements for different products under a single brand name.

2. None is present for the petitioner.

3. Upon perusal of the paper book, this Court finds that the petitioner in support of his prayers has extensively relied upon a Division Bench judgment of this Court in the case of *Commissioner, Food Safety, GNCTD vs. Sugandhi Snuff King Private Limited (2023) SCC OnLine Del 2003*,



whereby an identical notification dated 25th March, 2015 issued by respondent no.1 was upheld on account of the same being a policy decision not subject to judicial review.

4. Learned counsel appearing for respondent nos.1 to 3 states that the aforesaid Division Bench judgment of this Court has been stayed by the Supreme Court in SLP(C) No.30415/2023. Consequently, according to him, no relief can be granted in the present PIL.

5. Accordingly, the present petition is closed. However, the petitioner is given liberty to file appropriate proceedings after the aforesaid special leave petition is disposed of or the interim order passed therein is vacated.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

**FEBRUARY 2, 2024
KA**