

17-09-2025
Item Nos.46 & 47
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.26167 of 2024
Dabur India Limited

-vs-

Union of India & Ors.
with

WPA No.8975 of 2025

Mr. Sudipto Sarkar, Sr. Adv.
Mr. Sourajit Dasgupta
Mr. Sudhakar Prasad
Mr. Nilanjan Banerjee ...for the petitioner

Ms. Vineeta Meharia, sr. adv.
Mr. Amit Meharia
Ms. Pannistha Singh
Ms. Paramita Banerjee
Mr. Rohan Raj
...for the respondent nos.2-4

1. It has been submitted by the learned senior counsel for the petitioner that as shelf life of the subject batch of the product in respect of which prohibitory order and thereafter recall order was passed by the FSSAI has expired, accordingly, the writ petitions have become infructuous.
2. Learned counsel for FSSAI relies upon the order dated January 29, 2025 passed by the Joint Director (Regulatory Compliance) in support of the submission that the prosecution case has already been initiated and the same is pending consideration.
3. As the shelf life of the subject product has already expired, accordingly, no order needs to be passed in the instant writ petitions. The Court has not

entered into the merits of the matters. All points raised in the writ petitions are left open to be agitated as and when fresh cause of action arises.

4. Since the writ petitions are being disposed of without calling for affidavits, the allegations contained therein shall be deemed not to have been admitted by the respondents.
5. The writ petitions are disposed of.
6. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
7. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]