



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 147 OF 2025

(NAMDEV LAXMAN SHEVALE ..VS.. STATE OF MAH. THR. PSO KHADAN PS, AKOLA & ANR.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.A.Mohta, Advocate for the Petitioner.
Shri M.J.Khan, APP for Respondent Nos.1 & 2/State.

CORAM : ANIL S. KILOR, J.
DATED : FEBRUARY 17, 2025.

1. This matter pertains to sealing of the business establishment by the Food Safety Officer after seizure of the contraband. This Court, in the case of *Nitin Kaniyalal Tharwani ..vs.. Food Safety Officer, Food and Drug Administration, Nagpur* in Criminal Application (APL) No. 933 of 2021 vide order dated 17/09/2021 has held that the Food Safety Officer has no such power to seal any business establishment.

2. In that view of the matter, notice was issued on 13/02/2025. It was made clear on last occasion that if no reply is filed the Court may consider the case of the petitioner for grant of an interim relief.

3. Today, when the matter was called out the learned APP sought time to file reply.

4. Time till **17/03/2025** is granted.

5. However, in view of the above referred order of this Court, I am of the opinion that the petitioner is entitled for grant of interim relief.

6. Accordingly, by way of interim order, the respondents are directed to remove the seal of the business establishment of the petitioner, until further orders, within two days from today.

7. The learned APP undertakes to communicate this order to the concerned officer.

(ANIL S. KILOR, J.)