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

+ W.P.(C) 10368/2025

PRASHANT GUPTA

.....Petitioner

Through: Mr. Yatin Sharma and Mr. Prashant
Gupta, Advocates.

versus

FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA &
ORS.Respondents

Through: Mr. Rakesh Chaudhary, Advocate for
R-1/FSSAI.
Mr. Praveen Khattar, Advocate for R-
5/DMC.
Mr. Vikas Chopra, Advocate for R-
6/NABH.
Mr. Sanjay Vashistha, SC for MCD
with Mr. Siddhartha Goswami, Ms.
Geetanjali Reddy, Mr. Aditya
Sachdeva, Advocates along with Mr.
Yashpal, Public Health Inspector.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

08.08.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 226/21 of the Constitution of India
seeks the following prayers:

- a) Allow the present Writ to protect the fundamental rights
guaranteed under Article 21 of the Constitution of India to the
Petitioner and his wife, by ensuring their right to health, life,
dignity and safety, especially in public institutions such as
hospitals;
- b) Direct the Respondent no. 4 to take strict legal, disciplinary,
and regulatory action against Respondent No. 2 and Respondent



No. 3 for their breach of statutory duties, failure to enforce applicable food safety laws, and for knowingly endangering petitioner and his wife;

c) Direct the Respondent no. 1 to suspend, revoke, or cancel the food business license/registration of the canteen operated within Jaipur Golden Hospital, Sector-3, Rohini, Delhi for non-compliance with food safety, hygiene, and health regulations;

d) Direct the Respondent No. 5 to conduct an inquiry against Respondent No. 2 and Respondent No. 3 for putting the life and health of petitioner and his wife, staffs, children, doctors, attendants, visitors, pregnant women and other into endangering;

e) Direct Respondent No. 6 to Suspend, downgrade, or revoke Jaipur Golden Hospital accreditation manage by Respondent No. 2 and Respondent No. 3 for breach of NABH standards to protect the Article 21 of the Petitioner guaranteed by the Constitution of India;

f) Direct the Respondent No. 7 to cancel health trade license of Jaipur Golden Hospital manage by Respondent No. 2 and Respondent no. 3 through inspection of the said premises, to protect the life, health and

g) Direct the Respondent No. 8 to Monitor and evaluate food safety dignity of the petitioner; implementation against the Jaipur Golden Hospital for the safety and health of patients, staff, doctors, pregnant women, visitors, attendants, children, etc. and take disciplinary action against Respondent No. 2 and Respondent No. 3;

h) Pass a strict warning along with Impose a heavy Penalty upon Jaipur Golden Hospital for such negligence and putting the life and health of the petitioner, his wife and other persons endangering;

i) Direct the Respondent No. 2 and Respondent No. 3 to pay adequate compensation for such injury along with legal fees for this present Writ to the Petitioner;

j) Pass such other or further order(s), direction(s), or relief(s) as this Hon'ble Court may deem just and proper in the facts and circumstances of the case and in the favour of the Petitioner and against the Respondents in the interest of justice.”

3. Learned counsel for the petitioner pointed out that various representations to the concerned Authorities have been filed with respect to issues raised in the present petition, However, no action has been taken by the



said authorities on the aforesaid representation.

4. Learned counsel for respondent no.1/FSSAI submits that the jurisdiction with respect to the present hospital is with respondent no. 8/Delhi State Food Commission.

5. Learned counsels for respondent no. 6/NABH and respondent no. 7/MCD submit that the representation has been received and necessary steps have been taken in furtherance to the said representation.

6. The present petition is disposed of with direction to the concerned respondents to whom the petitioner has made representations, to examine the contention made in the said representations and pass a reasoned order after following due procedure as per law, under intimation to the petitioner herein within a period of 8 weeks from today. Needless to say that on receipt of order passed by the concerned authorities, if the petitioner has grievances, he will be at liberty to initiate appropriate proceedings in accordance with the law.

7. Copy of the order be sent to all the respondents for necessary information and compliance.

8. Pending application(s), if any, also stands disposed of.

9. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

AUGUST 8, 2025/bsr/dj