Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10663 OF 2026

Ashish Ashok Bhide ...Petitioner

Versus

Head Mistress of NMV Girls High School and Junior College, Pune & Ors. ...Respondents

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Mr. Tapan Thatte a/w Ms. Sonali Dalvi, Mr. Vivek Arote, Mr. Abhilesh Chitre, Mr. Akshay Dingale and Mr. Harish Garde for the Petitioner.

Ms. Meena H. Doshi for the Respondent No. 1.

Mr. P.P. Kakade, Addl. GP a/w Smt. P.J. Gavhane, AGP for the Respondent-State.

CORAM : R.I. CHAGLA J
FIRDOSH P. POONIWALLA, J

DATE : 18 August 2026

ORDER :

1. We have heard the learned Counsel for the parties including learned Additional G.P. for the Respondent Nos. 3 and 4-State.

SHARAYU PANDURANG KHOT

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Date: 2026.08.19 12:27:58 +0530

2. By this Petition, the Petitioner is seeking quashing and

setting aside of the order dated 4th August 2026 addressed to the Petitioner by the Head Mistress of NMV Girls High School and Junior College, Pune. Further prayer sought is for quashing and setting aside the order dated 28th July 2026 issued by the Food Safety Commissioner, Food and Drug Administration, Maharashtra State.

3. This Petition has been filed on an apprehension that, by virtue of the aforesaid orders, the Competent Authority, viz. Food Safety Commissioner, Food and Drug Administration, Maharashtra State will proceed to take action against the Petitioner in respect of their Establishment.

4. It is the further case of the Petitioner that Regulations 3(5) and 5 of the Food Safety and Standards (Safe Food and Balanced Diets for Children in School) Regulation, 2020 under which said action is contemplated, are yet to come into force.

5. Upon perusing what has been referred to by the Petitioner as an “order” dated 4th August 2026 (Exh.E to the Petition), we are of the view that this can no in event be said to be an order, rather it is a letter addressed by the Head Mistress of NMV

Girls High School and Junior College Pune to the Petitioner requesting the Petitioner to consider the health of the students and not to sell the products which are currently being sold in the Petitioner Establishment. Rather they should make available to the students nutritious options, such as fruits, fresh fruit vegetables, milk, buttermilk, lassi, sprouted sprouts, peanuts, roasted grams, etc. This would be in conformity with the Government directions. The other impugned order dated 28th July 2026 is according to the Petitioner himself an administrative order. It is not directed against the Petitioner and hence, the Petition cannot possibly be aggrieved in its issuance.

6. We accordingly, find that the present Writ Petition is entirely misconceived apart from being premature, particularly, when no such action has been taken by the Food Safety Commissioner, Food and Drug Administration, Maharashtra State. In the event, such action is contemplated, the Petitioner always has a right to approach this Court in exercise of its writ jurisdiction under Article 226 of the Constitution of India.

7. The Writ Petition is accordingly dismissed. There shall be no order as to costs.

[FIRDOSH P. POONIWALLA, J.] [R.I. CHAGLA J.]