

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.17971 OF 2017
(Arising out of SLP(C)No.3526 of 2014)

KHYBER AGRO FARMS PVT LTD

.....APPELLANT

VERSUS

THE STATE OF JAMMU AND KASHMIR & ORS.

.....RESPONDENTS

WITH

CIVIL APPEAL No.17967 OF 2017
(Arising out of SLP(C)No.3732 of 2014)
CIVIL APPEAL No.17968 OF 2017
(Arising out of SLP(C)No.3734 of 2014)
CIVIL APPEAL No.17969 OF 2017
(Arising out of SLP(C)No.11106 of 2014)
CIVIL APPEAL No.17970 OF 2017
(Arising out of SLP(C)No.15656 of 2016)

O R D E R

C.A.No.17971/2017 @ SLP(C)No.3526 of 2014 & C.A.No.17969/2017 @ SLP(C)No.11106/2014

In view of the communication received from the Municipal Magistrate, Srinagar, the time to conclude the trial of complaint is extended till the end of February, 2018.

Leave granted.

The present appeals by way of special leave challenges the orders dated 23.12.2013, 24.03.2014 and 30.01.2014 by which the Division Bench of the High Court of Jammu and Kashmir has imposed certain conditions.

Having heard learned counsel for the parties, we are of the considered opinion that the condition imposed by the High Court

directing the appellant to deposit the amount is uncalled for. The same is accordingly set aside. As far as other directions are concerned, the High Court shall proceed in accordance with law.

The High Court is requested to pass an appropriate order, if required, so that the law relating to Adulteration and the Food Safety and Standards Act, 2006 are followed with all earnestness. If there is any deviation by anyone, needless to say, that the High Court can take notice of the same and pass appropriate orders.

With the aforesaid modification in the impugned order passed by the High Court, the appeals stand disposed of.

C.A.No.17967 of 2017 @ SLP(C)No.3732 of 2014

Leave granted.

The present appeal by way of special leave challenges the orders dated 23.12.2013 and 30.01.2014 by which the Division Bench of the High Court of Jammu and Kashmir has imposed certain conditions.

Having heard learned counsel for the parties, we are of the considered opinion that the condition imposed by the High Court directing the appellant to deposit the amount is uncalled for. The same is accordingly set aside. As far as other directions are concerned, the High Court shall proceed in accordance with law.

The High Court is requested to pass an appropriate order, if required, so that the law relating to Adulteration and the Food Safety and Standards Act, 2006 are followed with all earnestness. If there is any deviation by anyone, needless to say, that the High Court can take notice of the same and pass appropriate orders.

With the aforesaid modification in the impugned order passed by the High Court, the appeal stands disposed of.

C.A.No.17968 of 2017 @ SLP(C)No.3734 of 2014

Leave granted.

The present appeal by way of special leave challenges the orders dated 23.12.2013 and 30.01.2014 by which the Division Bench of the High Court of Jammu and Kashmir has imposed certain conditions.

Having heard learned counsel for the parties, we are of the considered opinion that the condition imposed by the High Court directing the appellant to deposit the amount is uncalled for. The same is accordingly set aside. As far as other directions are concerned, the High Court shall proceed in accordance with law.

The High Court is requested to pass an appropriate order, if required, so that the law relating to adulteration and the Food Safety and Standards Act, 2006 are followed with all earnestness. If there is any deviation by anyone, needless to say, that the High Court can take notice of the same and pass appropriate orders.

With the aforesaid modification in the impugned order passed by the High Court, the appeal stands disposed of.

C.A.No.17970 of 2017 @ SLP(C)No.15656 of 2016

Leave granted.

Having perused the impugned order and keeping in view the facts and circumstances of the present case, we are of the considered opinion that the High Court be requested to pass an appropriate order, if required, so that the law relating to Adulteration and the Food Safety and Standards Act, 2006 is

followed with all earnestness. Ordered accordingly. If there is any deviation by anyone, needless to say, that the High Court can take appropriate notice of the same and pass requisite orders.

The interim order passed by this Court on 07.06.2016 shall also remain in force.

The appeal stands disposed of in the above terms.

.....CJI.
(DIPAK MISRA)

.....J.
(A.M.KHANWILKAR)

.....J.
(Dr.D.Y.CHANDRACHUD)

NEW DELHI;
OCTOBER 30, 2017.

ITEM NO.6

COURT NO.1

SECTION XVI -A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).3526/2014

(Arising out of impugned final judgment and order dated 30-01-2014 in PIL No.1/2012 passed by the High Court of Jammu & Kashmir at Srinagar)

KHYBER AGRO FARMS PVT LTD

Petitioner(s)

VERSUS

THE STATE OF JAMMU AND KASHMIR & ORS.

Respondent(s)

(Letter dated 20-09-2017 of Municipal Magistrate to be listed for direction)

WITH

SLP(C) No.3732/2014 (XVI -A)

SLP(C) No.3734/2014 (XVI -A)

SLP(C) No.11106/2014 (XVI -A)

SLP(C) No.15656/2016 (XVI -A)

Date : 30-10-2017 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr.Z.A.Shah, Sr.Adv.
Ms.Purnima Bhat, AOR

Mr.Shyam D. Nandan, AOR

Mr.Ramesh Kumar Mishra, AOR

Ms.Ranjeeta Rohatgi, Adv.

For Respondent(s)

Mr.Shadan Farasat, AOR

Mr.G.M.Kawoosa, Adv.

Mr.M. Shoeb Alam, AOR

Mr.Mehmood Pracha, Adv.

Mr.Mansoor Ali, AOR

Mr.Prateek Gupta, Adv.

Mohd.Danish, Adv.

Mr.Shakil Ahmed Syed, AOR

Mr.A. N. Arora, AOR

Mr.Bharat Sangal, Adv.
Ms.S.Spandana Reddy, Adv.
Ms.Isha Gupta, Adv.

Mr.Shyam D.Nandan, Adv.
Mr.Siddharth B., Adv.

UPON hearing the counsel the Court made the following
O R D E R

C.A.No.17971/2017 @ SLP(C)No.3526 of 2014 & C.A.No.17969/2017 @ SLP(C)No.11106/2014

In view of the communication received from the Municipal Magistrate, Srinagar, the time to conclude the trial of complaint is extended till the end of February, 2018.

Leave granted.

The appeals stand disposed of in terms of the signed order.

C.A.No.17967 of 2017 @ SLP(C)No.3732 of 2014

Leave granted.

The appeal stands disposed of in terms of the signed order.

C.A.No.17968 of 2017 @ SLP(C)No.3734 of 2014

Leave granted.

The appeal stands disposed of in terms of the signed order.

C.A.No.17970 of 2017 @ SLP(C)No.15656 of 2016

Leave granted.

The interim order passed by this Court on 07.06.2016 shall also remain in force.

The appeal stands disposed of in terms of the signed order.

(SATISH KUMAR YADAV)
AR-CUM-PS

(H.S. PARASHER)
ASSISTANT REGISTRAR

(Signed order is placed on the file)