

27.09.2022

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PRONOUNCEMENT OF JUDGEMENTS

COURT NO. 40

HON'BLE MR. JUSTICE GAURANG KANTH

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AT 02:15 P.M.

_W.P.(C) 3362/2015 and C.M. Nos. 6020/2015, 9243/2015, 17726/2015, 16999/2017, 17859-860/2017, 19505/2018 & 7957/2021

(LEAD MATTER)

SUGANDHI SNUFF KING PVT. LTD. & ANR. Petitioners

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

GOVERNMENT OF NCT OF DELHI Respondent

Through: Mr. Bhagvan Swarup Shukla, CGSC with Mr. Sarvan Kumar, Advocate.
Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Kavindra Gill, Advocate for UOI
Mr. Chetan Sharma, ASG with Mr. Rakesh Kumar and Mr. Sunil, Advocates for UOI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.
Mr. Sameer Vashisht, ASC with Ms. Sanjana Nangia and Ms. Shreya Gupta, Advocates for GNCTD

+ **W.P.(C) 10368/2021 and C.M. No. 31897/2021**

BG TOBACO PRODUCTS Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER FOOD SAFETY

GOVT. OF NCT OF DELHI & ORS. Respondents

Through: Mr. Manish Mohan and Mr.Devendra Kumar, Advocates for UOI.
Mr. Anuj Aggarwal, Mr. Sanyam Suri, Ms.Ayushi Bansal and Ms. Aishwarya Sharma, Advocates for respondent No. 1/ GNCTD.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.
Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.

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W.P.(C) 4576/2020 and C.M. No. 16522/2020

KAMNA INDUSTRIES PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),

DEPARTMENT OF FOOD SAFETY,

GOVERNMENT OF NCT OF DELHI & ORS. .. Respondents

Through: Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 4689/2020 and C.M. No. 16882/2020

VB TOBACCO PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

Versus

COMMISSIONER (FOOD SAFETY),

GOVERNMENT OF NCT OF DELHI & ORS. .. Respondents

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD

+ W.P.(C) 4752/2020 and C.M. No. 17149/2020

KRISHNA TRADERS Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY), DEPARTMENT

OF FOOD SAFETY, GOVERNMENT OF NCT OF

DELHI & ORS. Respondents

Through: Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+

W.P.(C) 4953/2020 and C.M. No. 17885/2020

KAY PEE KHAINI PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY), DEPARTMENT
OF FOOD SAFETY, GOVERNMENT OF NCT
OF DELHI & ORS. Respondents

Through: Mr. Bhagvan Swarup Shukla, CGSC with Mr. Sarvan Kumar, Advocate.
Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 5934/2020 and C.M. No. 21448/2020

SHRI RASBAHAR FRAGRANCES LLP Petitioner

Through:

versus

COMMISSIONER, FOOD SAFETY & ORS. Respondents

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 5387/2019 and C.M. No. 23660/2019

RAJAT FOOD PRODUCTS Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)
GOVERNMENT OF NCT OF
DELHI AND ORS. Respondents

Through: Mr. Ripu Daman Bhardwaj, CGSC for respondent No. 2/ UOI.
Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.
Mr. Tushar Sannu, Advocate for Ms. Ritika Priya, Advocate for GNCTD

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W.P.(C) 5489/2019 and C.M. No. 24083/2019

VISHNU TOBACCO MANUFACTURING Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

GOVERNMENT OF NCT OF DELHI & ORS. .. Respondents

Through: Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.
Mr. Anuj Aggarwal, Mr.Sanyam Suri, Ms.Ayushi Bansal and Ms. Aishwarya Sharma, Advocates for respondent No. 1/ GNCTD.
Ms. Manisha Agarwal Narain, CGSC with Mr. Aditya Singh Deshwal and Ms. Rakshita Goyal, Advocates for UOI

+ W.P.(C) 5881/2019 and C.M. No. 25550/2019

K. Y. TOBACCO WORKS PRIVATE LIMITED ... Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

DEPARTMENT OF FOOD SAFETY

GOVERNMENT OF NCT OF DELHI & ORS. ..Respondents

Through: Mr. Bhagvan Swarup Shukla, CGSC with Mr. Sarvan Kumar, Advocate.
Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Ms. Monika Arora, Advocates for UOI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 5883/2019 & C.M. Nos. 25554/2019, 15861-862/2020 & 29410/2021

SHAMBHU KHAINI PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),

GOVERNMENT OF NCT OF DELHI & ORS. . Respondents

Through: Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Tushar Sannu and Ms. Ritika Priya, Advocates for GNCTD.

Mr. Bhagvan Swarup Shukla, Mr. Kamal deep and Mr. Sarvan Kumar, Advocates for UOI.

Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 6006/2019 and C.M. No. 25942/2019**

M/S S. N. AGRIFOODS PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

GOVERNMENT OF NCT OF DELHI AND ORS. Respondents

Through: Mr. Vivek Goyal, Advocate for UOI.

Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.

Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 6010/2019 and C.M. No. 25960/2019**

HARSH INFINITY FLAVOUR PRIVATE LIMITED..... Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

GOVERNMENT OF NCT OF DELHI AND ORS. Respondents

Through: Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.

Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 6018/2019 and C.M. Nos. 26034/2019 & 29618/2021**

JAIWAL PRODUCTS Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

GOVERNMENT OF NCT OF DELHI AND ORS. Respondents

Through: Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.

Ms. Monika Arora, Advocates for UOI

Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+

W.P.(C) 6019/2019 and C.M. Nos. 26036/2019, 15866-867/2020 & 29409/2021

MURARI LAL HARISH CHANDRA

JAISWAL PVT. LTD.

..... Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

GOVERNMENT OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Ms. Monika Arora, Advocates for UOI
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 5499/2019 and C.M. No. 24144/2019**

RAS BAHAR FRAGRANCES LLP

..... Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

DEPARTMENT OF FOOD SAFETY AND ORS.Respondents

Through: Mr. Ajay Digpaul, CGSC with Mr.Kamal Digpaul and Ms. Sawati Kwatra, Advocates for respondent No. 2/ UOI.
Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 6279/2019 and C.M. No. 26865/2019**

SOM GLOBAL ZARDA PRIVATE LIMITED

..... Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

GOVERNMENT OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Ms. Monika Arora, Advocates for UOI
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+

W.P.(C) 7358/2019 and C.M. No. 30674/2019

AFT TOBACCO PRIVATE LIMITED, THROUGH
MR. PRADYUMN KUMAR JAIN, DIRECTOR Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)
GOVERNMENT OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Sameer Vashisht, Ms. Sanjana Nangia and Ms. Shreya Gupta, Advocates for GNCTD.
Mr. T.P. Singh, Advocate.
Mr. R.V. Sinha, Advocate for respondent No. 2.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 7359/2019 and C.M. Nos. 30676/2019 & 25023/2020

APEX FLAVOURS, THROUGH
MR. ANIL KUMAR SIKKA, PROPRIETOR Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)
GOVERNMENT OF NCT OF DELHI AND ORS.Respondents

Through: Mr. R.V. Sinha, Advocate for respondent No. 2.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 7883/2019 and C.M. Nos. 32724/2019 & 29411/2021

TRIMURTI FRAGRANCES AND
FLAVOURS PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)
GOVERNMENT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Chetan Sharma, ASG with Mr. T.P. Singh, Advocate for respondent No. 2/ UOI.
Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+

W.P.(C) 4936/2018 and C.M. Nos. 19058-059/2018

SHAMBHU KHAINI PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY) & ORSRespondents

Through: Mr. Ripu Daman Bhardwaj, CGSC for respondent No. 2/ UOI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+

W.P.(C) 4937/2018 and C.M. Nos. 19060-061/2018

S N AGRIFOODS PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY) & ORSRespondents

Through: Mr. Ripu Daman Bhardwaj, CGSC for respondent No. 2/ UOI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+

W.P.(C) 13204/2018 and C.M. No. 51263/2018

SOM GLOBAL ZARDA PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER FOOD SAFETY GOVT

OF NCT OF DELHI AND ORSRespondents

Through: Mr. Kirtiman Singh, CGSC with Ms.Kunjala Bhardwaj, Advocates for UOI.
Mr. Arnav Kumar, CGSC with Mr. Harshil Manchanda, Gurudas Khurana and Mr. Suprateek Neogi, Advocates for UOI
Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+

W.P.(C) 1142/2017 and C.M. No. 5175/2017

M/S AGGARWAL TRADERS AND ANR Petitioners

Through: Ms. Nikita Sharma, Advocate

versus

COMMISSIONER (FOOD SAFETY),

DEPARTMENT OF FOOD SAFETY

..... Respondent

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 4036/2017 and C.M. No. 17756/2017

A.K. TRADING CO. Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),

DEPARTMENT OF FOOD SAFETY,

GOVT. OF NCT OF DELHI & ORS

.....Respondents

Through: Ms. Bharathi Raju, Advocate for UOI.

Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 4037/2017 and C.M. No. 17758/2017

M/S SHIVAM BETELNUT PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),

DEPARTMENT OF NCT OF DELHI & ORS

.....Respondents

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 4362/2017 and C.M. No. 19044/2017

SSAF ENTERPRISES Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),

GOVT. OF NCT OF DELHI & ORS

.....Respondents

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 4365/2017 and C.M. No. 19049/2017**

S.R. TRADING CO. Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),
GOVT. OF NCT OF DELHI & ORSRespondents

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 3241/2016 and C.M. Nos. 13819-820/2016**

S.K. TOBACCO INDUSTRIES Petitioner

Through: Mr. Pavan Narang Mr. Shiven Khurana and Ms. Aishwarya, Advocates.

versus

COMMISSIONER (FOOD SAFETY),
GOVT. OF NCT, DELHIRespondent

Through: Mr. Chetan Sharma, ASG with Mr. Rakesh Kumar and Mr. Sunil, Advocates for UOI.
Mr. Sameer Vashisht, Ms. Sanjana Nangia and Ms. Shreya Gupta, Advocates for GNCTD.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 3415/2016 and C.M. Nos. 14606/2016 & 26854/2017**

GANDHI TOBACCO PRODUCTS Petitioner

Through: Mr. Pavan Narang Mr. Shiven Khurana and Ms. Aishwarya, Advocates

versus

COMMISSIONER (FOOD SAFETY)
GOVERNMENT OF NCT, DELHI Respondent

Through: Mr. Chetan Sharma, ASG with Mr. Rakesh Kumar and Mr. Sunil, Advocates for UOI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+

W.P.(C) 3778/2016 and C.M. Nos. 16090-091/2016

GOLDEN TOBACCO MANUFACTURING
CO PRIVATE LTD

..... Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)
GOVERNMENT OF NCT OF DELHI

..... Respondent

Through: Mr. Chetan Sharma, ASG with Mr. Rakesh Kumar and Mr. Sunil, Advocates for UOI.
Mr. Anil Soni, CGSC and Mr. Devesh Dubey, Advocate for UOI
Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Anil Soni, CGSC.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 3780/2016 and C.M. Nos. 16094-095/2016**

JAISWAL PRODUCTS

..... Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)
GOVERNMENT OF NCT OF DELHI

..... Respondent

Through: Mr. Chetan Sharma, ASG with Mr. Rakesh Kumar and Mr. Sunil, Advocates for UOI.
Mr. Anil Soni, CGSC and Mr. Devesh Dubey, Advocate for UOI
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 4813/2016 and C.M. No. 20087/2016**

PURUSHOTTAM KUMAR ARYA

..... Petitioner

Through: Mr. Avinash Kumar Trivedi, Advocate.

versus

THE COMMISSIONER (FOOD SAFETY)

..... Respondent

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

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W.P.(C) 4937/2016 and C.M. No. 20544/2016

M/S SHIVAM BETELNUT PRIVATE LIMITEDPetitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

GOVERNMENT OF NCT OF DELHI AND ANRRespondents

Through: Mr. Chetan Sharma, ASG with Mr. Rakesh Kumar and Mr. Sunil, Advocates for UOI.
Mr. Harish Kumar Garg and Ms. Falguni Rai, Advocates for R-2
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 4978/2016 and C.M. No. 20764/2016

M/S S.N. AGRIFOODS PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

GOVERNMENT OF NCT OF DELHI AND ANRRespondents

Through: Mr. Harish Kumar Garg and Ms. Falguni Rai, Advocates for R-2
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 4979/2016 and C.M. No. 20766/2016

ASHOK & COMPANY PAN BAHAR LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

GOVERNMENT OF NCT OF DELHI AND ANRRespondents

Through: Mr. Harish Kumar Garg and Ms. Falguni Rai, Advocates for R-2
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

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W.P.(C) 5438/2016 and C.M. Nos. 22628-629/2016

VISHNU TOBACCO PRODUCTS Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),

GOVT. OF NCT OF DELHI & ANRRespondents

Through: Mr. Ripu Daman Bhardwaj, Advocate for UOI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 5487/2016 and C.M. Nos. 22851-852/2016**

SUDESH PARSHAD ARUN KUMAR Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),

GOVT. OF NCT OF DELHI & ANRRespondents

Through: Mr. Vikram Jetly and Ms. Shreya Jetly, Advocates for respondent No.2.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.
Mr. Bhagvan Swarup Shukla, Mr. Kamal Deep, Advocates for UOI.

+ **W.P.(C) 5488/2016 and C.M. Nos. 22853-854/2016**

M/S SATYAPAL SHIVKUMAR Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),

GOVERNMENT OF NCT OF DELHI & ANRRespondents

Through: Mr. Vikram Jetly and Ms. Shreya Jetly, Advocates for respondent No.2.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

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W.P.(C) 5538/2016 and C.M. No. 23111/2016

M/S SHAMBHU KHAINI PVT LTD Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)

GOVT OF NCT OF DELHI & ANRRespondents

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 5539/2016 and C.M. No. 23113/2016**M/S PRABHAT ZARDA FACTORY
(INDIA) PVT. LTD. Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),

DEPARTMENT OF FOOD SAFETY,

GOVT. OF NCT OF DELHI & ANRRespondents

Through: Mr. Vikram Jetly and Ms. Shreya Jetly, Advocates for respondent No.2.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 5540/2016 and C.M. No. 23115/2016**

M/S RAJAT INDUSTRIES PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),

GOVT. OF NCT OF DELHI & ANRRespondents

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 5546/2016 and C.M. No. 23127/2016**MAHALAXMIDEVI FLAVOURS
PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),

GOVT. OF NCT OF DELHI & ANRRespondents

Through: Mr. Bhagvan Swarup Shukla, CGSC with Mr. Sarvan Kumar, Advocate.

Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 5548/2016 and C.M. No. 23131/2016**

SOM PAN PRODUCTS PVT. LTD. Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),
GOVT. OF NCT OF DELHI & ANR

.....Respondents

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 5553/2016 and C.M. No. 23141/2016**

MURARI LAL HARISH CHANDRA
JAISWAL PVT. LTD.

..... Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY)
GOVT. OF NCT OF DELHI & ANR

.....Respondents

Through: Mr. Bhagvan Swarup Shukla, CGSC with Mr. Sarvan Kumar, Advocate.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ **W.P.(C) 8313/2016 and C.M. No. 34454/2016**

M/S MNS PERFUMES

..... Petitioner

Through: Mr. Avinash Kumar Trivedi, Advocate

versus

THE COMMISSIONER (FOOD SAFETY)

..... Respondent

Through: Mr. Bhagvan Swarup Shukla and Mr. Sarvan Kumar, Advocates for UOI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, Mr. Chaitanya Gosain, Ms. Asmita Singh and Mr. Amanpreet Singh, Advocates for GNCTD.

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W.P.(C) 10742/2016 and C.M. Nos. 42021-022/2016

FOCUS TOWNSHIPS PRIVATE LIMITED Petitioner

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY), GOVT. OF
NCT OF DELHI & ANR

..... Respondents

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 3674/2015 and C.M. No. 6551/2015

M/S LOKNATH PRASAD GUPTA & ANR Petitioners

Through: Mr. C.S. Vaidyanathan and Mr. Vivek Kohli, Senior Advocates alongwith Mr. Nalin Talwar, Mr. Sunil Tyagi, Mr. Manoj Gupta, Ms. Yeshi Rinchhen, Mr. Akash Yadav, Mr. Kustubh Singh and Mr. Juvas Rawal, Advocates.

versus

COMMISSIONER (FOOD SAFETY),
GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr. Chetan Sharma, ASG with Mr. Rakesh Kumar and Mr. Sunil, Advocates for UOI.
Mr. Aditya Singla and Ms. A. Sahitya Veena, Advocates for FSSAI.
Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

+ W.P.(C) 3724/2015 and C.M. No. 6634/2015

S.K. TABACCO INDUSTRIES Petitioner

Through: Mr. Pavan Narang Mr. Shiven Khurana and Ms. Aishwarya, Advocates

versus

COMMISSIONER (FOOD SAFETY),
GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, ASC with Mr. Chaitanya Gosain and Ms. Asmita Singh, Advocates for GNCTD.

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27.09.2022

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PRONOUNCEMENT OF JUDGEMENTS

W.P.(C) 4477/2015 and C.M. Nos. 8095/2015, 17858/2017,
19525/2018, 18728/2020 & 29610/2021

DHARAMPAL SATYAPAL LIMITED & ORS Petitioners

Through: Mr. Sanjai Kumar Pathak, Mr. Arvind Kumar Tripathi and Mrs. Shashi Pathak, Advocates.

versus

THE GOVERNMENT OF NCT OF DELHI Respondent

Through: Mr. Bhagvan Swarup Shukla and Mr. Sarvan Kumar, Advocates for UOI.

Mr. Rahul Mehra, Senior Advocate alongwith Mr. Gautam Narayan, Mr. Chaitanya Gosain, Ms. Asmita Singh and Mr. Amanpreet Singh, Advocates for GNCTD.

HIGH COURT OF DELHI

27.09.2022

REGISTRAR (LISTING)

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