

**WRIT OF CERTIORARI FOR QUASHING IMPUGNED  
NOTICES/ANALYSIS REPORTS UNDER FOOD SAFETY AND  
STANDARDS ACT, 2006**

IN THE HIGH COURT OF JUDICATURE AT \_\_\_\_\_

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. \_\_\_\_\_ OF 20\_\_\_\_

In the matter of Article 226 of the  
Constitution of India

And

In the matter of Articles 14 and 19  
(1)(g) of the Constitution of India;

And

In the matter of the Food Safety and  
Standards Act 2006, and the Rules  
and Regulations framed thereunder;

And

In the matter of purported Notices  
dated \_\_\_\_\_, \_\_\_\_\_  
and \_\_\_\_\_ of Recall of the  
Petitioner's products issued by the

Assistant Commissioners (Food and  
Drug Administration) and the Food  
Safety Officers;

And

In the matter of the illegal, arbitrary,  
high handed and ultra vires actions of  
the Respondents, purportedly under  
the provisions of the Food Safety and  
Standards Act 2006.

a company incorporated under the  
Companies Act 1956/2013, having  
its registered office at \_\_\_\_\_  
\_\_\_\_\_) ...Petitioner

Versus

1. Food Safety and Standard  
Authority of India,  
Ministry of Health & Family Welfare )  
having address at \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_)

2. Commissioner of Food Safety )  
 Food and Drug Administration, )  
 having address at \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )
3. Assistant Commissioner, (Food) )  
 Food & Drug Administration , )  
 having address at \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )
4. Assistant Commissioner, (Food) )  
 Food & Drug Administration, )  
 having address at \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )
5. The Food and Drug Administration )  
 Food and Drug Administration, )  
 having address at \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )
6. The Union of India )

\_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )...Respondents

TO  
 THE HON'BLE CHIEF JUSTICE AND  
 HIS COMPANION JUDGES  
 OF THIS HON'BLE COURT

**THE HUMBLE PETITION OF THE  
 PETITIONER ABOVENAMED:**

**MOST RESPECTFULLY SHEWETH:**

1. The Petitioner is a private limited company duly incorporated under the provisions of the Companies Act, 1956, and inter alia carries on the business of the manufacture of confectionary products. The Respondent Nos. 1 to 4 are authorities constituted under the provisions of the Food Safety and Standards Act 2006 (hereinafter referred to as "**the said Act**") and are required to carry out their responsibilities thereunder. The Respondent No. 5 is, to the best of the Petitioner's knowledge, the authority responsible for implementation of the provisions of the Food Safety and Standards Act 2006 and the Rules and Regulations framed

thereunder, in the state of \_\_\_\_\_. The Respondent No. 6 is the Union of India.

2. By the present petition, the Petitioners challenge the arbitrary, illegal, ultra-vires and malafide actions on the part of the Respondents in seizing / sealing food products/raw materials belonging to the Petitioner, as also the purported recall notice dated \_\_\_\_\_ issued by the Respondent Nos.3 and 4, and by the Food Safety Officers appointed under the said Act. The Petitioner also challenges other actions of the Respondents and their subordinate officers as set out herein, which are in complete violation of the provisions of the said Act, and the Rules and Regulations framed thereunder.

3. As stated above, the Petitioner manufactures confectionary products including sugar boiled confectionary. Such products manufactured by the Petitioner include sugar boiled confectionary under the popular trademark '\_\_\_\_\_'. The said products are manufactured at the manufacturing facilities of the Petitioner situated at \_\_\_\_\_ in \_\_\_\_\_. The said products are manufactured by state-of-the-art equipment and factories and to the highest international standards, which far exceed the Indian standards in vogue. The Petitioner also uses very high quality ingredients of international standards, and which are in accordance with the standards and requirements of the said Act and the Rules and Regulations framed thereunder, as well as the standards laid down by the Bureau of Indian Standards (BIS).

**PAGES 6 TO 47  
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PREVIEW