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

\+ W.P.(C) 8774/2023

YATIN SHARMA ..... Petitioner

Through: Mr. Prashant Gupta, Advocate

versus

FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA (FSSAI) & ORS ..... Respondents

Through: Mr. Rakesh Chaudhary, Ms. Tanvi, Mr. Aditya Singla, Advocates for R-1
Mr. Santosh Kumar Tripathi, Standing Counsel for GNCTD with Ms.Mahak Rankawat, Mr. Utkarsh Singh, Mr. Kartik Sharma, Advocates for R-3
Ms. Pratima N Lakra, CGSC with Ms.Vanya Bajaj, Advocate for R-4
Mr. Manoj Kumar Tyagi, Senior Panel Counsel for R-9 & R-10

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

O R D E R

% 04.07.2023

1. The instant writ petition has been filed with the following prayers:-

> *"a) Direct the Respondent No. 1, 3 & 4 to initiate strict and prompt action against Respondent No. 2. This may include imposing heavy fines, cancelling their FSSAI license, and even imposing imprisonment on the owners of Respondent No. 2. Furthermore, the Court may order for sealing the outlets owned by Respondent No. 2 that are found to be in violation of the norms and laws established by Respondent No. 1. The Court may ensure that appropriate actions are taken in*

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accordance with the law to address the violations committed by Respondent No. 2.

b) Direct Respondent No. 1, the Food Safety and Standards Authority of India (FSSAI), to grant compensation to the Petitioner for the physical and emotional harm suffered as a result of the FSSAI's failure to fulfill its responsibilities.

c) Direct Respondent No. 1 takes immediate corrective measures to rectify their non-compliance and strengthen their oversight to prevent similar incidents in the future. Safeguard public health and the strict implementation of food safety regulations by providing necessary directions to Respondent No. 1 to enhance their monitoring and enforcement mechanisms.

d) Hold Respondent No. 1 accountable for their negligence and dereliction of duty, and send a strong message that endangering the lives and emotions of citizens through the issuance of licenses to incapable food business operators will not be tolerated.

e) Uphold the principles of Article 21 of the Constitution of India, which guarantees the right to life and personal liberty, by ensuring that food safety and standards are effectively enforced and upheld by Respondent No. 1.''

2. It is stated by the Petitioner that he purchased some bakery product from Respondent No.2 and after consuming the said product he fell ill. It is stated that he had submitted a complaint to the authorities but no action has been taken.

3. Mr. Rakesh Chaudhary, learned Counsel appears on behalf of FSSAI.

4. Let Status Report be filed by the Respondents within a period of four

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weeks from today stating the action taken by them in the case.

5. List on 19.09.2023.

SUBRAMONIUM PRASAD, J

JULY 4, 2023
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