IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6024 of 2013

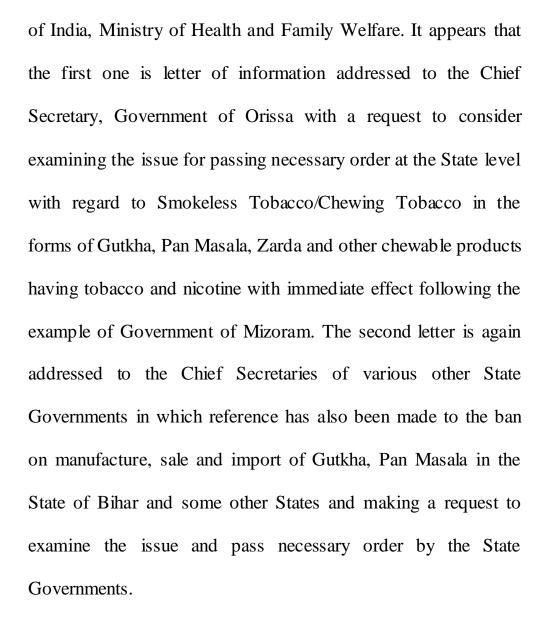
Rajat Industries Pvt. Ltd. through its authorized signatory Syed Zeyaul Islam, son of Syed Arif Reza, resident of Vivek Nursing Home, 4th Floor, G.T.Road, P.S. Golawari, District- Kolkata, West Bengal Petitioner/s Versus The Union of India through the Chairman, Food Safety Authority of India, New Delhi 2. The Secretary, Ministry of Finance, Government of India, New Delhi Respondent/s Appearance : For the Petitioner/s Mr. Prabhat Ranjan CORAM: HONOURABLEMR. JUSTICE RAMESH KUMAR DATTA

ORAL ORDER

25-04-2013 4

Heard learned counsel for the petitioner and learned Central Government Counsel.

From perusal of the prayer made in the writ petition, various pleadings in the writ petition in so far as it relates to that prayer, pleadings contained in the supplementary affidavit and in I.A. No. 2721/2013 as also the submissions of learned counsel for the petitioner, it appears that the grievance of the petitioner is directed only against two letters dated 21.11.2012 and 27.8.2012 of the Special Secretary, Government



In my view, no cause of action arises in favour of the petitioner on mere issuance of such informatory and request letters by the Special Secretary, Ministry of Health and Family Welfare. As a matter of fact, the Government of Bihar has already, by a letter dated 30.5.2012, banned the manufacture, storage, sale or the distribution of Gutkha and Pan Masala containing tobacco or nicotine as ingredients by whatever name it is available in the market for one year from the date of issue of



the order in the State of Bihar in the interest of public health. The said order is not under challenge in the present writ petition. It is informed by learned counsel for the petitioner that the matter with respect to the said order is pending before a Division Bench of this Court.

In the aforesaid circumstances, the writ application does not disclose any cause of action and is premature. It is, accordingly, dismissed as premature.

S.Pandey/-

(Ramesh Kumar Datta, J)

