

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION LODGING NO.777 OF 2013

1.AHAR, Indian Hotel & Restaurant
Association & Ors. ..Petitioners
Versus
1.Union of India & Ors. ..Respondents

Mrs. Anjali P. Purav for the petitioners.
Mr. Ravi Lokhande, for respondent Nos.1,2 and 4.
Ms. Geeta Shastri, AGP for respondent Nos.3 and 5.

**CORAM : MOHIT S. SHAH, C.J. &
M.S. SANKLECHA, J.**

DATE : 26 April 2013

P.C.

Leave to amend. Amendment to be carried out by 30 April 2013.

2. It appears that the main thrust of the petitioners submissions is that the respondent-authorities should frame separate Rules/separate provisions for the Hotels and Restaurants as the nature of their business is quite different from the nature of business of Manufacturers and Food Processors.

3. Notice to respondents returnable on 17 June 2013. Mr. Lokhande waives service of notice for respondent Nos.1, 2 and 4. Ms. Geeta Shastri, learned AGP waives services of notice for respondent Nos.3 and 5. Notice to the Attorney General also returnable on the same date.

4. Learned counsel for the petitioners prays for interim stay against coercive action being taken against the Hotels/Restaurants for the

alleged violation of the provisions of the Food Safety and Standards Act, 2006 and/or the Rules framed thereunder.

5. In view of the fact that the statutory provisions already give the aggrieved party 14 days' time to move the Appellate Authority and the coercive action is not to be taken for a period of 14 days from the date of communication of the order, we do not grant ad-interim relief as prayed for at this stage.

However, we will consider the prayer for interim reliefs on the next date of hearing.

CHIEF JUSTICE

M.S. SANKLECHA, J.

Bombay High Court