

(2014) 01 KAR CK 0292
In the Karnataka High Court
Case No : Writ Petition No. 103723 of 2013

Sri Balaji Aqua Products

APPELLANT

Vs

The Executive Engineer and Others

RESPONDENT

Date of Decision : 28-01-2014

Acts Referred:

Citation : (2014) FAJ 523

Hon'ble Judges : Mohan M. Shantana Goudar, J

Bench : Single Bench

Advocate : Ashok S. Kinagi, Advocates for the Appellant; Hema L.K., Advocates for the Respondent

Judgement

Mohan M. Shantana Goudar, J.—In. this petition, the Endorsement dated 19.8.2013 issued by the 2nd respondent vide Annexure-F is called in question. By the said Endorsement/notice, the 2nd respondent has informed the petitioner that the electric supply to its installation is stopped since its installation does not have the requisite certificate issued under Food Safety and Standards Act, 2006 ("FSS Act, 2006" for short). Admittedly, the petitioner does not have BIS/ISI certification to be issued under the FSS Act, 2006. According to the petitioner, it manufactures and supplies purified block ice, tube ice and cold storage at Bidar. This Court in Writ Petition No. 102401/2013 has concluded that the petitioner has to get such certificate as per law from the competent authority for running the industry. While concluding so, this Court has relied upon the judgment of the Division Bench of this Court in the case of Lochamesh B. Hugar v. Union of India, New Delhi and Ors. Since the petitioner does not have the requisite certificate as required under the provisions of the FSS Act, 2006, it cannot manufacture ice blocks, tube ice etc., In view of the same the Respondent No. 2 is justified in not supplying the electricity to the installation of the petitioner. Hence no interference is called for.

2. Petition fails and the same stands dismissed. It is open for the petitioner to get the requisite certificate from the competent authority for running the

industry. It is needless to observe that in case if the petitioner obtains the necessary certificate under the provisions of FSS Act, 2006, the electricity supply shall be restored to the petitioner's installation.