

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP (C) No. 916/2026

M/s Shiva Milk Foods and Another

.....Applicant(s)/Petitioner(s)

Through :- Mr. Rajnish Raina, Sr. Advocate with
Mr. Gautam, Advocate
Mr. K.K. Mishra, Advocate
Mr. Adity Vaibha Singh, Advocate
Mr. Rishu Rajeshwar, Advocate
Mr. Prabhat Sangotra, Advocate
Mr. Om Goswami, Advocate

v/s

UT of J & K & Ors.

.....Respondent(s)

Through :- Mr. Raman Sharma, AAG with
Ms. Saliqa Sheikh, Advocate

CORAM: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER
10.04.2026

1. In this petition, the petitioners herein have challenged order No. FADA-Tech/16/2025-05 dated 21.11.2025 passed by the Commissioner, Food & Drugs Administration, J&K, whereby in exercise of powers under Section 30(2)(a) read with Section 18(1)(g) of Food Safety & Standards Act, 2006 and in the interest of public health and consumer safety, petitioners have been prohibited from sale, storage, distribution and display of 'Avik Ghee' from September 2025 till May, 2026 across the Union Territory of J&K. Petitioners herein have also challenged notice No. ADCK/FSSA/2025-26 dated 06.01.2026.
2. Learned counsel for the respondents states that so far as notice dated 06.01.2026 is concerned, it is appealable under Section 70 of the Food Safety Act.

3. Learned counsel for the respondents has also produced Form of Notice to the Food Business Operator under Form VA in terms of Rule 2.4.1(3) of the Food Safety and Standards Rules, 2011. He states that the procedure has been followed by the respondents. However, learned counsel for the petitioners contradicts the submission made by Mr. Raman Sharma, learned AAG.
4. Learned counsel for the respondents fairly conceded that the impugned prohibition order only prohibits Batch No. 1309D from September, 2025 till May, 2026.
5. Learned counsel for the petitioners states that he is not pressing upon the prayer 'B' wherein he has challenged notice dated 06.01.2026 issued by respondent no. 5.
6. Accordingly, Registry is directed to delete prayer 'B' of the writ petition.
7. Issue notice to the respondents, which is waived by Ms. Saliqa Sheikh, Advocate on behalf of the respondents. She seeks and is granted two weeks' time for filing reply with an advance copy to the counsel for the other side.
8. List on 29.04.2026.

(Moksha Khajuria Kazmi)
Judge

JAMMU
10.04.2026
Manik