

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 2842/2024

1. M/s Nestle India Limited, M-5A, Kannughat Circus, New Delhi- 110001 Through The Authorized Signatory And The Present Nominee, Mr. Syed Nadeem Ahmad, S/o Mr. Shamim Ahmad.
2. Mr. Dharmendra Hanraj Kotak, Nominee M/s Nestle India Limited, M-5A, Kannughat Circus, New Delhi- 110001 Through The Authorized Signatory And The Present Nominee, Mr. Syed Nadeem Ahmad, S/o Mr. Shamim Ahmad.

----Petitioners/Appellants

Versus

1. The State Of Rajasthan, Through The Commissioner (Food Safety) Jaipur, Rajasthan.
2. Mr. Shashikant Sharma, Food Safety Officer, Office Of Chief Medical And Heath Officer, Jaipur-I, Jaipur, Rajasthan.

Respondents/Non-Appellants

3. Mr. Nikhil Mittal S/o Vinod Mittal, Seller And Owner, M/s Nestle India Limited Through Laxmi Agency (C And F), Depo E-168, Road No. 9J, Vki Area Jaipur.

----Proforma Respondent/Appellant

Connected with

S.B. Civil Writ Petition No. 2845/2024

M/s Nestle India Limited, Through Mr. Dharmendra Hansraj Kotak (Nominee), Sales Manager Delhi Branch, Registered Office At 100 / 101, World Trade Centre, Barakhamba Lane, New Delhi -110001. Through The Authorized Signatory And The Present Nominee, Mr. Syed Nadeem Ahmad, S/o Mr. Shamim Ahmad.

----Petitioner/Appellant

Versus

1. The State Of Rajasthan, Through The Commissioner (Food Safety) Jaipur, Rajasthan.
2. Mr. Virendra Kumar Singh, Food Safety Officer, Office Of Chief Medical And Heath Officer, Jaipur-I, Jaipur, Rajasthan.

Respondents/Non-Appellants

3. Mr. Dharmendra Hansraj Kotak, Nominee- M/s Laxmi Agency, E-168, Road No. 09, Vki Area, Jaipur.
4. Harsiman Singh, Nominee Plant, M/s Nestle India Limited, Plant No. 1A, Sector-1, Integrated Industrial Estate, Pantnagar-263145 (Uttarakhand).
5. Mr. Jugal Kishore Todarwal S/o Mr. Shivshankar Prasad Todarwal, Seller/owner, M/s Khandelwal Agency, Plot No.

D-6/344, Chitrakoot Scheme, Ajmer Road, Jaipur.

-----Proforma Respondents/Appellants

S.B. Civil Writ Petition No. 2846/2024

M/s Nestle India Limited, Through Mr. Dharmendra Hansraj Kotak (Company Nominee), Sales Manager, Delhi Branch, Registered Office - 100/101, World Trade Centre, Barakhamba Lane, New Delhi - 110001. Through The Authorized Signatory And The Present Nominee, Mr. Syed Nadeem Ahmad, S/o Mr. Shamim Ahmad.

-----Petitioner/Appellant

Versus

1. The State Of Rajasthan, Through The Commissioner (Food Safety) Jaipur, Rajasthan.
2. Mr. Virendra Kumar Singh, Food Safety Officer, Office Of Chief Medical And Health Officer, Jaipur-I, Jaipur, Rajasthan.

Respondents/Non-Appellant

3. Mr. Charanjeev Singh, Nominee M/s Nestle India Limited, Plant Ludhiana, Firozbaad Road, Moga-142001 (Punjab).
4. Savarman Parval, S/o Shri Damodar Parvaal, Partner M/s J And S Marketing, Plant No. 188-C, Barkat Nagar, Tonk Fatak, Jaipur.
5. Mr. Jitendra Kumar Joshi, Partner, M/s J And S Marketing, Plant No. 188-C, Barkat Nagar, Tonk Fatak, Jaipur.

-----Proforma Respondents/Appellants

---

For Petitioner(s) : Mr. Vikas Balia, Sr. Adv. through VC  
assisted by  
Ms. Nandini Singh Bhowan  
Ms. Shreya Dangayach

For Respondent(s) :

---

**HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL**

**Order**

**22/03/2024**

Since, the issue involved in these writ petitions is common,  
they are being tagged.

Learned Senior Counsel for the petitioners submits that vide order impugned dated 19.06.2023, the Court of Additional District Magistrate, Jaipur City South, Jaipur has dispensed with the presence of the Food Analyst depriving them of their valuable right to subject him to cross-examination to establish their defence. He further submits that the appeals preferred thereagainst have been dismissed by the learned Appellate Tribunal being not maintainable.

Learned Senior Counsel for the petitioners is directed to supply a copy of the writ petitions in the office of Mr. Surendra Singh Naruka-learned Additional Advocate General, during course of the day.

List these matters on 22.04.2024 after showing name of Mr. Surendra Singh Naruka-AAG in the cause list as counsel for the respondents.

Mr. Naruka may complete his instructions/file reply in the meanwhile.

Heard learned Senior Counsel on interim relief.

Taking into consideration the contentions advanced by him and the material on record, this Court deems it just and proper to stay the further proceeding pending against the petitioners in the Court of Additional District Magistrate, Jaipur City South, Jaipur, till further order.

(MAHENDAR KUMAR GOYAL),J