



2026:AHC:55389

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**APPLICATION U/S 528 BNSS No. - 8344 of 2026**

Vrs Foods Limited

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Anay Kumar Srivastava, Samir  
Srivastava

Counsel for Opposite Party(s) : G.A.

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**Court No. - 81**

**HON'BLE VIVEK KUMAR SINGH, J.**

1. Heard learned counsel for applicant and learned AGA for the State.
2. The instant application has been preferred for quashing the order dated 07.11.2025 passed by Nyaya Nirrayak Adhikari/ Additional District Magistrate (Administration), Mathura in Case No. 000071 of 2021 (Computer Srl. No. D2021015000000071) (State Vs. Pankaj Kumar and others) under Section 26(2) of Food Safety Standard Act, 2006.
3. At the very outset, the learned A.G.A. has raised a preliminary objection that the present application under Section 528 BNSS is not maintainable. It is submitted that the Additional District Magistrate/Adjudicating Officer passed an order under Section 68 of the Food Safety and Standards Act, 2006, and that an appeal against the order dated 07.11.2025, passed by the Adjudicating Officer/Additional District Magistrate, lies under Section 70 of the Food Safety and Standards Act, 2006 before the Food Safety Appellate Tribunal. The learned A.G.A. further submitted that the present application under Section 528 BNSS is liable to be dismissed, as the applicant has an alternative remedy of filing an appeal before the Food Safety Appellate Tribunal.
4. On being confronted, the learned counsel for the applicant did not dispute the legal contention raised by the learned A.G.A. However, he submitted that the present application under Section 528 BNSS may be dismissed as not pressed, with liberty to file an appeal before the Food

Safety Appellate Tribunal.

5. Accordingly, the present application is **dismissed** as not pressed, with liberty to file an appeal under Section 70 of the Food Safety and Standards Act, 2006, before the Food Safety Appellate Tribunal.

6. Office to return certified copy of the order to the counsel for the applicant, after retaining photostat copy of the same.

**(Vivek Kumar Singh,J.)**

**March 18, 2026**

Radhika