

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA/329/2026

Shri. Anand Singh Yadav

Vs.

The Andaman and Nicobar Administration and others

Mr. K.M.B. Jayapal ... for the petitioner

Mr. V.D.Sivabalan ... for the Administration

Mr. Gopala Binnu Kumar ... for the private respondent

July 28, 2026
[SR]
Item No.5

1. The writ petitioner challenges an order dated 13th March, 2026 passed by the Designated Officer (FS), South Andaman District under section 32(2) of the Food Safety and Standards Act 2006.

2. By the said order, the food licence of the bar and restaurant called 'Honey Everest' run by the writ petitioner has been suspended.

3. The grievance of the writ petitioner is that there was violation of natural justice since the petitioner was neither shown nor heard.

4. At page 86 of the writ petition is annexed a part of a handwritten order dated 2nd September, 2025 signed by the Designated Officer. The first page of the order is missing. The first page available from the records of the Administration indicates that it was a record of proceedings of hearing held on 02.04.2025 at 3.30 pm in the chamber of Designated Officer (FS), South Andaman District. The first page contained the signature of the petitioner as well as the Designated Officer. The second page contained a signature of the petitioner, which is missing in the document annexed in this writ petition.

5. In that view of the matter, this Court notes that there is deliberate and willful tampering of official records suppression of the material facts before this Court aimed at misleading it.

6. The petitioner's contention that he was not heard or given a show cause notice to attend the hearing is *ex facie* false, untrue and incorrect.

7. It further appears from the findings of the Designated Officer that upon expiry of the petitioner's tenancy for running the bar and restaurant at the subject premises, the land lord sold the premises to a third party.

8. The writ petitioner's licence which had earlier expired was extended online without mentioning or change of ownership of the property in question.

9. In view of the aforesaid, this Court is of the view that the petitioner has efficacious alternative remedy under section 32(4) of the aforesaid Act of 2006.

10. For material suppression of facts and misleading this Court, this Court imposes costs assessed at Rs.25,000/- payable by the petitioner to the office of the Designated Officer (FS), South Andaman within a period of two weeks from date. Payment of costs is condition precedent to admission of statutory appeal by the respondents.

11. The writ petition stands dismissed.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)