



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9946 OF 2026

Siddharth Agro,
A proprietary concern
through its Proprietor
Mr. Siddharth Vishnu Hinge

....Petitioner.

Vs.

The State of Maharashtra & Ors.

..... Respondents.

Mr. Manoj Badgujar, Advocate for the Petitioner.

Mr. P.P. Kakade, Addl. G.P. with Mrs. Pooja Patil, AGP for the
Respondents-State.

**CORAM : RAVINDRA V. GHUGE, ACJ. &
GAUTAM A. ANKHAD, J.**

DATE : 28th AUGUST, 2026.

P.C. :

1. The Petitioner is engaged in the business of procurement, chilling, storage and supply of raw milk to large dairy processing units within the State of Maharashtra. The Petitioner possesses a valid license under the Food Safety and Standards Act, 2006 and the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011.

2. On 15th July, 2026, Respondent Nos. 3 and 4 suspended the Petitioner's license on account of non-compliance with the applicable Regulations. This suspension is impugned in the present Petition.

3. Mr. Kakade, learned AGP appearing on behalf of the Respondents, relies on the affidavit dated 21st August, 2026 filed by Respondent No.3, to oppose the petition. Amongst other grounds, he submits that, pursuant to representations made by the Petitioner, the Petitioner's establishment was re-inspected on 29th July, 2026. Several deficiencies continued to persist, which had not been rectified. Consequently, the suspension cannot be revoked.

4. In response, Mr. Badgujar, learned counsel for the Petitioner, submits that the deficiencies pointed out by the Respondents have since been rectified. Respondent Nos. 3 and 4 ought to undertake a fresh inspection to ascertain the subsequent developments and, if the Petitioner is found to be compliant, its licence ought to be restored.

5. With a view to ascertain the factual position regarding compliance, we direct Respondent Nos. 3 and 4 to undertake a fresh inspection of the Petitioner's establishment on Monday, 31st August, 2026, between 2:00 p.m. and 5:00 p.m. Upon completion of inspection,

the Respondents shall prepare a compliance report and furnish a copy of the auto-generated report indicating the marks and percentage of compliance to the Petitioner.

6. We have noticed in several matters listed before us, that even after an establishment has duly complied with the deficiencies pointed out by the Respondents, the suspension or cancellation order is not revoked. The result of such inaction is extremely serious, as the establishment is prevented from carrying on its business. This causes financial loss to the establishment and has a cascading effect on its employees and supply chains. In our view, there cannot be any justification for requiring an establishment to approach this Court merely to secure revocation of an order which has ceased to have any efficacy. Such litigation is wholly avoidable and unnecessarily burdens both, the establishment and the Court. It is this continued inaction, whether deliberate or for any other reason, that had compelled us, in another matter¹, to impose compensatory payment upon the Respondents. An establishment which has cured the deficiencies cannot be penalized further due to the inaction of the Respondents.

7. To prevent recurrence and to ensure that the statutory regulatory mechanism operates in a fair, efficient and proportionate

1 Writ Petition No.9905 of 2026 (M/s. Gurunanak Dairy & Sweets vs. The Union of India & Ors.)

manner, we direct that, in all such cases, once the Respondents are satisfied through the auto-generated report that the deficiencies have been duly rectified as per the applicable statutory and regulatory requirements, the Respondents shall forthwith revoke the suspension or cancellation order.

8. The same principle shall apply in the present case. Accordingly, the impugned order dated 15th July, 2026 in this Petition shall stand automatically revoked upon issuance of the auto-generated report evidencing compliance, provided the Petitioner is said to be legally compliant. The Respondents shall, thereafter, take all consequential steps including issuing formal orders, without requiring the Petitioner to approach this Court again.

9. **List the Petition on 3rd September 2026 in the urgent Supplementary Board, for further directions.**

[GAUTAM A. ANKHAD, J.]

[ACTING CHIEF JUSTICE]

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PANDIT

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