HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Writ Miscellaneous Application No. 462/2026
CNR: RJHC020697522026 | URN: WMAP / 890U / 2026

1. Kritesh Oswal S/o Sohan Lal, Aged About 24 Years, Resident Of- F-G2, Ganpati Enclave, Madrampura, Ajmer Road, Civil Lines, Jaipur, Rajasthan - 302006
2. Abhay Singla S/o Lekhram Singla, Resident Of- 20, Banthia Colony, Sangaria, Hanumangarh, Rajasthan - 335063
3. Deepesh Oswal S/o Sohan Lal, Resident Of- F-G2, Ganpati Enclave, Madrampura, Ajmer Road, Civil Lines, Jaipur, Rajasthan - 302006

----Petitioners

Versus

1. Union Of India, Through Its Cabinet Secretary, Cabinet Secretariat Of India, South Block, New Delhi, Delhi - 110011
2. Ministry Of Health And Family Welfare, Government Of India Through Its Secretary, Near Udyog Bhawan Metro Station, Maulana Azad Road, New Delhi, Delhi - 110011
3. The Food Safety And Standards Authority Of India, Through Its Chief Executive Officer, 3Rd And 4Th Floor, Fda Bhawan, Near Bal Bhavan, Kotla Road, New Delhi, Delhi - 110002
4. The Ministry Of Environment, Forest And Climate Change, Government Of India Through Its Secretary (Ef And Cc), Cabinet Secretariat Of India, New Delhi, Delhi - 110001
5. The Genetic Engineering Appraisal Committee, Through Its Chairman - Special Secretary / Additional Secretary, Union Ministry Of Environment, Forest And Climate Change, Indira Paryavaran Bhawan, Aliganj Road, Jorbagh, New Delhi, Delhi - 110003
6. The Department Of Consumer Affairs, Ministry Of Consumer Affairs, Food And Public Distribution, Government Of India, Through Its Secretary, Krishi Bhawan, Rafi Marg, Connaught Place, New Delhi, Delhi – 110001

---Respondents

7. Sarvatgc Technologies Private Limited, Through Ms. Himani Sharma, Authorised Signatory Registered Address- Mera Homes, H Block, Flat 301, Whitefield Seegehalli Kannamangala, Bengaluru, Karnataka - 560067

----Applicant

For Applicant	:	Dr. Abhinav Sharma with Mr. Vishal Choudhary and Ms. Anshika Maheshwari, through V.C.
For Respondents	:	Mr. Bharat Vyas, Sr. Advocate and A.S.G., assisted by Ms. Niti Jain Bhandari Mr. Vinay Ramchandani, through V.C.

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

19/08/2026

Application I.A. No. 01/2026:

The application filed under Order 1 Rule 10 CPC for impleadment is dismissed.

Application I.A. No. 02/2026:

Applicant has filed the present application seeking regulatory/protective relief with the following prayer:

> *"(a) Allow the present Interim Application;*
> *(b) Direct the FSSAI to scientifically evaluate and consider the Applicant's pending Application filed in July 2025 in accordance with law through an appropriate scientific and regulatory mechanism, and to maintain the outcome of such evaluation on record pending further Orders of this Hon'ble Court, pending the formulation/framing of the regulatory framework contemplated by the Judgment dated 13.10.2025;*
> *(c) Clarify that such processing and evaluation by the FSSAI shall be subject to, and without prejudice to, any final regulatory framework that may ultimately be notified under Section 22 of the Food Safety and Standards Act, 2006; and*

(d) Pass any other Order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, and in the interest of justice."

D.B. Writ Miscellaneous Application No. 462/2026:

The applicant has filed the miscellaneous application seeking clarification and/or modification of the judgment dated 13.10.2025 passed by this Court with the following prayer:

"(a) clarify whether paragraph 63(iii) of the Judgment dated 13.10.2025 prevents scientific evaluation and consideration of the Applicant's pending Application filed in July 2025 relating to a product falling within the second limb of Explanation 2 to Section 22 of the Food Safety and Standards Act, 2006;
(b) And thus, clarify that paragraph 63(iii) shall not operate so as to prevent consideration and scientific evaluation of statutory applications which had already been filed and were pending prior to the pronouncement of the Judgment dated 13.10.2025;
(c) Call upon the Union of India and FSSAI to place on record a Status Report regarding compliance with the directions contained in paragraph 63(ii) of the Judgment regarding the non-notification of regulations under Section 22 of the FSSA, if deemed appropriate by this Hon'ble Court;
(d) In the alternative, should this Hon'ble Court require independent expert assistance on the question of the scientific distinction between food containing genetically modified organisms and food produced from but not containing genetically modified organisms, including the distinct risk profiles, safety characteristics, purification standards, and applicable regulatory frameworks for the two categories, this Hon'ble Court may be pleased to direct the Biotechnology Industry Research Assistance Council (BIRAC), an enterprise under the Department of Biotechnology, Government of India, or the Department of Biotechnology itself, or such other specialised scientific body or expert as this Hon'ble Court may deem fit and proper, to furnish a scientific opinion or technical note on the said question for the assistance of this Hon'ble Court, prior to the final disposal of the present Application; and
(e) Pass any other consequential clarification necessary for the effective implementation of the Judgment."

A bare perusal of the prayers made by the applicant, who is not a party to the writ petition, in the aforesaid applications, seems to extend and increase the scope of litigation, which we have concluded in the PIL decided by us on 13.10.2025.

The applicant prays for a direction to the statutory/regulatory authority for scientific evaluation of its

applications, which is a subject matter distinct from the judgment passed by us. If the applicant has its own independent grievance or seeks to submit that the judgment passed by this Court is wrongly implemented or is wrongly made applicable by the authorities upon the food products developed by the applicant, then the applicant is free to file a separate petition before the appropriate forum. The same cannot be a ground for modification/ clarification of the order passed by this Court.

The applications are wholly misconceived and the same are accordingly dismissed.

All pending applications stand disposed of.

(SANJEET PUROHIT),J (SANJEEV PRAKASH SHARMA),ACTING CJ

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