

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.2075 OF 2010
(Arising out of SLP(Cr1.)No.6243 of 2009)

MS/ CADBURY INDIA LIMITED & ANR.

Appellant(s)

VERSUS

STATE OF KERALA & ORS.

Respondent(s)

O R D E R

Leave granted.

We have heard Mr.F.S.Nariman, learned senior counsel for the appellants and learned counsel for the respondents.

Mr.Nariman has focused the controversy of this case and submits that the Court has to decide whether polythene packets can be regarded as "suitable container" under Rule 14 of the Prevention of Food and Adulteration Rules, 1955. In our opinion, the main controversy involved in this case is very short and in the peculiar facts and circumstances of this case, we direct the Trial Court to conclude the trial of this case as expeditiously as possible and in any event within three months from the date of communication of this order. In case the trial is not concluded within three months, the appellants would be at liberty to revive this appeal.

The appellants are exempted from personal appearance unless the Court so specifically direct them to appear. The appellants, however, would appear through their counsel. In view of our order, the Trial Court shall proceed with the trial of this case irrespective of the order which has been passed in Civil Writ Petition No.6477 of 2007 by the High Court of Kerala.

The Trial Court should avoid unnecessary adjournments unless it becomes imperative. The parties are directed to co-operate with the Court.

This Criminal Appeal is, accordingly, disposed of.

.....J.
(DALVEER BHANDARI)

.....J.
(DEEPAK VERMA)

NEW DELHI;
27TH OCTOBER, 2010

