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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010468562026

+ W.P.(C) 14413/2026 & CM APPL. 67502/2026, CM APPL.
67503/2026

RED BULL INDIA PRIVATE LIMITEDPetitioner

Through: Mr. Sandeep Sethi & Mr. Suhail Dutt,
Sr. Advs. with Mr. Abhixit Singh,
Ms. Pavni Tuli, Mr. Bhaskar Joshi,
Mr. Sachdev Sharma, Ms. Megha
Saha, Ms. Sakshi Rana, Ms. Krisna
Gambhir, Mr. Azhar Alam,
Ms. Shreya Sethi & Mr. Ritwik
Sharma, Advs.

versus

UNION OF INDIA AND ORSRespondents

Through: Mr. Ishkaran Singh Bhandari, CGSC
with Mr. Piyush Yadav, Adv. for R1.
Mr. Amit Meharia, Ms. Tanishtha
Singh, Mr. Sambhav & Mr. Vibhor
Victor, Advs. for R2 to R4.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **29.09.2026**

1. The matter was listed yesterday in this Court and the respondent was asked to take instructions.
2. Today, it is undisputed that the order dated 30.06.2026, directing the petitioners to not use the term '*energy drink*' in its product was passed without affording any opportunity to the petitioner to file any reply or give any explanation.
3. The impugned order has serious consequences. The petitioner has been selling the product since the year 2002 and an order of such



nature would undoubtedly have serious impact not only on the business of the petitioner but also on the employees of the petitioner. It is well settled that no statutory authority is empowered to pass orders having serious civil consequences without affording the party an opportunity of hearing or representation.

4. As noted above, the Petitioner in the present case has not been afforded any opportunity to show cause or explain before passing the impugned order. It is not the case of the Respondents that the order has been passed in any extreme emergent situation. The impugned order is therefore passed without following the principles of natural justice.

5. Considering the said aspect, the present petition is allowed and the impugned order dated 30.06.2026 as well as all consequential steps that may have been taken pursuant to the impugned order is set aside.

6. The respondent is at liberty to pass orders afresh after granting an opportunity to the petitioner to show cause and also granting liberty of hearing to the petitioner.

7. It is made clear that this Court has not gone into the merits of the dispute as to whether the petitioner's product violates any provisions of the Food Safety and Standards Act, 2006 or whether the respondents have the power to pass any order directing the petitioner to discontinue.

8. The present petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

SEPTEMBER 29, 2026

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