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PRESS RELEASE

SUPREME COURT REFUSES TO ENTERTAIN COKE PETITION

The Supreme Court today asked Hindustan Coca-Cola Beverages to withdraw its petition, saying there were no grounds for the Court to hear the issue.

Although a copy of the petition was not yet available, Mr Kapil Sibal, counsel for Coca-Cola, argued that the tests on cola samples were being carried out by laboratories across the country that are not accredited and without any standards for pesticide levels in the country.

Mr Justice S Rajendra Babu, Dr Justice AR Lakshmanan and Mr Justice GP Mathur said there were no grounds for Coca-Cola to file, particularly on grounds of Article 32 of the Indian Constitution (which provides the right to approach the court for enforcement of a fundamental right).

Mr Sibal then pleaded to have the petition to be treated as a 'consumer petition', saying Coca-Cola was filing the petition to protect the consumer's rights. This was once again rejected.

Mr Justice Babu said consumers could decide for themselves what they wanted, and it was up to them to decide whether they want to buy a product.

In response to Mr Sibal's plea that several states had banned their products, and if the court did not entertain their plea, they would have to file in various state courts, Mr Justice Babu said if they could sell their products in all the states, they could file petitions in all the states.

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