

CWP-12253-2013

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-12253-2013

Date of Decision: 17.08.2015

M/s Sabarwal Medical Store

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?.
- 2) To be referred to the Reporters or not ?.
- 3) Whether the judgment should be reported in the Digest ?

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

Mr. S.S.Chandumajra, DAG, Punjab.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Articles 226/227 of the Constitution of India for quashing the order dated 21.02.2012 issued with Endst. Dated 25.09.2012 (Annexure P-9) passed by respondent No.2-Director Health and Family Welfare, Punjab, Chandigarh whereby application moved by the petitioner for grant of retail-sale drug licence has been dismissed.

Learned counsel for the petitioner states that against the impugned order, the petitioner has got the alternative remedy of statutory appeal under Rule 64(3) of the Drugs & Cosmetics Rules, 1945,

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therefore, the petitioner may be relegated to that remedy.

In view of the statement made by learned counsel for the petitioner, the instant petition is disposed of with liberty to the petitioner to file an appeal under Rule 64(3) of the Drugs & Cosmetics Rules, 1945 against the impugned order. If the petitioner files the appeal within 15 days from today, it shall be decided on merit after giving opportunity of hearing to the parties and without going into the issue of limitation because the petitioner has been pursuing its *bona fide* litigation before this Court by way of present writ petition.

17.08.2015
parveen kumar

(Paramjeet Singh)
Judge