

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7282 of 2016

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M/s Kamal Enterprises, through its Proprietor Shashi Bhushan Singh son of Late Bhagrasan Singh, R/o D-19, Ground Floor, Mahima Place, Govind Mitra Road, P.S. Pirbahore, Dist. Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, New Secretariat, Patna
2. The State Drug Controller-cum- Chief Licensing Authority, New Secretariat, Bihar, Patna
3. The Licensing Authority Drug Control Administration, Municipal Area Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Das

For the Respondent/s : Mr. Priyadarshi Matin Sharan

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 24-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner has filed the writ application for quashing the order dated 11.02.2016 passed by respondent No.3, the Licensing Authority Drug Control Administration, by which the drug licence of the petitioner has been suspended for a period of 15 days.

It is not in dispute that against the said order, the petitioner has statutory remedy of appeal before the appellate authority which he has not availed. The period of suspension has also admittedly come to an end.

The writ application is, accordingly, dismissed as not maintainable on account of availability of alternative statutory remedy of appeal. However, if the petitioner intends to file an appeal in the matter due to any adverse effect of the said order upon his business then he shall have a liberty to file an appeal, which shall be considered by the appellate authority in accordance with law, as this Court has not expressed any opinion on the merits of the matter.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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