

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9126 of 2016

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Shailesh Kumar Sah Son of Sri Sundeshwari Sah, Prop. of Jay Mata Dee
Medical Hall, Parwezabad, Gola Bazar, P.S. Sonapur, District - Saran at
Chapra

.... 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, Saran at Chapra
4. The Drug Inspector, Drug Control Administration, Saran at Chapra

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Senior Advocate
Mr. Rakesh Kumar Sharma
Mr. L.K. Sharma

For the Respondent/s : Mr. Ajay Behari Sinha, G.A.8
Mr. Neeraj Raj, A.C. to G.A.8

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA
ORAL ORDER

7 12-08-2016 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner has approached this Court for quashing the
order dated 27.01.2016 passed by the Licensing Authority, Drug
Control Administration, Saran at Chapra, by which the wholesale
licence of the petitioner has been cancelled. The alternative prayer
of the petitioner is for a direction to the State authorities to
conclude the hearing of appeal preferred by the petitioner on
01.02.2016, which is still pending.

In view of the fact that the appeal is pending for last six months and the cancellation of licence affects the right of the petitioner to carry on business and various issues have been raised therein which this Court is not inclined to entertain during the pendency of the appeal, the writ application is disposed of with a direction to the respondent authorities to dispose of the appeal filed by the petitioner within a period of two months from the date of receipt/production of a copy of this order. It shall be open to the petitioner to make prayer for any urgent interim order in the matter as provided under the Act and Rules, which shall be disposed of forthwith considering the fact that the medicines have an expiry period.

V.P.Sinha/-

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(Ramesh Kumar Datta, J)