

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6566 of 2017

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M/s Aatma Ram Medicals, M.P.D. Road, Bhagalpur, through its Proprietor, Balram Kedia, Son of Late Aatma Ram Kedia, Near Golder Icecream Factory, Kazbali Chowk, P.O. City Post Office, Bhagalpur, P.S. Tatarpur, District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. The State Drug Controller-cum-Chief Licensing Authority, Directorate of Health Services, Bihar, Patna.
3. The Assistant Drug Controller-cum-Licensing Authority, Administration Drug Control, Bhagalpur.
4. The Drug Inspector, Bhagalpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Respondent/s : Mrs. Archana Sinha, A.C. to G.P.-25

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 03-07-2017

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner was having the licence of whole sale dealership as well as retail outlet dealership and particularly this matter is only confined to the licence of whole sale dealership.

A raid was conducted and it was found that the petitioner was not running the whole sale dealership in terms of the Drugs and Cosmetics Rules, 1945 and the Rules framed thereunder. Whereupon, in exercise of power under Rule-66(1) of the Drugs and Cosmetics Act, 1945, the whole sale licence of the petitioner has



been cancelled and prevented him to do the whole sale business, otherwise, he will be liable for punishment.

Learned counsel for the petitioner has submitted that after cancellation of the whole sale licence the petitioner has filed an appeal before the appellate authority, but till date the same has not been decided.

Let the appellate authority dispose of the appeal filed by the petitioner within a period of four weeks from the date of receipt/production of a copy of this order. If the appellate authority fails to decide the appeal within the aforesaid period, the petitioner will be at liberty to run his whole sale business till the passing of the final order by the appellate authority.

With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	05.07.2017
Transmission Date	N/A

