

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12422 of 2017

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M/s Om Medico, Proprietor Uttam Lal, S/o- Late Madan Mohan Saw, Premises situated at Anugrah Narayan Magadh Medical College & Hospital, Gaya. R/o Vill-Kurba, P.O.- Naudiha, P.S.- Khizarsarai, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, New Secretariat, Patna.
2. The Assistant Drug Controller- Drug Control Administration, Gaya.
3. The Drug Inspector Sadar, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Das, Adv.

For the Respondent/s : Mr. Kamlesh Kishore, AC to SC-12

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 18-10-2017

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

In this case, the petitioner is challenging the order dated 12.8.2017 passed by the Assistant Drug Controller, Gaya, whereby and whereunder, the Drug License of the petitioner has been cancelled.

During inspection, the drug, namely, Ketamine was recovered from the drawer of the petitioner's shop and the use and effect of the drug Ketamine has been explained by the State in paragraph nos. 9 & 11 of the counter affidavit.

Learned counsel for the petitioner submits that the



petitioner has filed an appeal two months earlier but, the same is pending till date and submits that during pendency of the appeal, the petitioner may be allowed to run his shop.

As the drug Ketamine is a very dangerous medicine and the same has been recovered from the shop of the petitioner, this Court is not inclined to grant any interim relief to the petitioner.

This writ application is, accordingly, dismissed with a direction to the appellate authority to dispose of the appeal filed by the petitioner expeditiously preferably within a period of two months from the date of receipt/production of a copy of this order.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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