

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10005 of 2017**

=====

1. M/s New Gaurav Pharma, Proprietor Omprakash Gupta Son of Late Radha Krishna Prasad Gupta premise situated at B.P. Medicine Complex, Sri Nandan Path, R/o Mohalla - Nehru Chowk, Town - Chapra, Dist. - 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.

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ram Shankar Das  
For the State : Mr. Birju Prasad-GP13

=====

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      23-08-2017                      Heard learned counsel for the petitioner and learned counsel for the State.

In the present case, petitioner is challenging the order dated 2.1.2016 passed by the Licensing Authority, Saran at Chapra by which drug licence of medicine shop has been cancelled.

Petitioner is licence holder for running the medicine shop. An inspection was conducted without following due process and licence of the petitioner has been cancelled. Against that order petitioner filed an appeal before the appellate authority under Rule 66(2) of the Drugs and



Cosmetics Rules, 1945 but till date the appeal has not been disposed of.

In such view of the matter, this Court directs the appellate authority to dispose of the appeal within a period of four months from the date of receipt/production of a copy of this order.

In the meantime, petitioner will be at liberty to run his medicine shop. But this interim relief will not creat semblance of right in favour of the petitioner but it will be subject to the result of the appeal.

With the aforesaid observation this writ petition is disposed of.

**(Shivaji Pandey, J)**

Vinay/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

