

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3010 of 2017**

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M/s New Megha Medical Hall Proprietor Uttam Sah S/o Late Siya Ram Sah  
R/o Station Road Sultanganj, P.O. + P.S. Sultanganj, District - Bhagalpur.

.... .... 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, Bhagalpur.
3. The Licensing Authority Drug Controller-Drug Control Administration  
Town Area Bhagalpur.
4. The Drug Inspector Town Area Bhagalpur.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Shankar Das

For the Respondent/s : Mr. Mujtabaul Haque, GP-12

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

2      23-03-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

In this case, the petitioner is challenging the action of  
the Assistant Drug Controller, Bhagalpur whereby and  
whereunder he has cancelled the drug licence of the petitioner,  
vide letter no. 198 dated 17/12/2016, which led to closure of the  
running medical shop of the petitioner.

The basic grievance has been raised by the petitioner  
that the Assistant Drug Controller, Bhagalpur without following  
the due procedure of law, has cancelled the licence of the  
petitioner, against that, he has filed an appeal before the Appellate  
Authority i.e. concerned Minister of the Department, vide



Annexure-5 to the writ application, which is pending. He submits that he has incurred immense loss on account of closure of his business and makes a prayer that till the disposal of the appeal, he should be allowed to run the aforesaid shop.

Let the Appellate Authority decided the appeal of the petitioner within a period of three months from the date of receipt/production of a copy of this order.

In the meantime, the petitioner is at liberty to run his business till the disposal of the appeal.

With the above observation/direction, this petition is disposed of.

**(Shivaji Pandey, J)**

Mahesh/-

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