

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19074 of 2017

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M/s Durga Medical Hall, Proprietor Laxman Lal Barnwal, S/o Late Sadho Lal
Premises Situated at F.B.S Road Gaya, R/o at Patel Kirana, Jheelgunj, P.O.-New
Godown, P.S.-Kotwali Dist.-Gaya.

.... 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 Assistant, Drug Controller, Drug Control Administration, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Das, Advocate
Mr. Abhay Kumar, Advocate

For the Respondent/s : Mr. RAJESHWAR SINGH -GA10

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 13-04-2018

Heard learned senior counsel for the petitioner as well as
learned counsel for the respondents.

2. The present writ petition has been filed for quashing the
order dated 04.12.2017 as contained in Memo No. 934 passed by the
Assistant Drug Controller, Drug Control Administration, Gaya
(Respondent No. 3), by which the drug licence of the medicinal shop of
the petitioner has been cancelled; and for connected reliefs.

3. At the very outset, while disputing the validity of the
impugned order cancelling the petitioner's drug licence, it is stated that
the petitioner has already preferred an appeal against such order of



cancellation which is pending.

4. Learned senior counsel for the petitioner seeks stay of the impugned order of cancellation and has specifically stated that the seized goods comprising of expired and unexpired medicines have been taken away by the raiding party.

5. Considering that an appeal has already been filed by the petitioner against the impugned order of cancellation, this Court is not inclined to enter into the merits of the matter. The writ petition is accordingly disposed of with an observation that the Appellate Authority would consider and dispose of the same, if still pending, on its own merits and in accordance with law expeditiously.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
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