

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4795 OF 2018

Olive Healthcare

...Petitioner

Vs.

Drug Licensing Authority

Union Territory of Daman & Diu

...Respondent

Senior Advocate Kevic Setalwad with Mr.Anupam Surve, Mr.Rupesh Gaonkar i/b. Ashok Kumar Singh for Petitioner.

Mr.S.S. Deshmukh for Respondent.

**CORAM : NARESH H. PATIL AND
G.S. KULKARNI, JJ.**

DATE : 24th APRIL 2018

P.C.:

Not on board. Taken on board.

2. The petitioners pray for quashing and setting aside of order passed by the respondents cancelling the license of 21 drugs on 5th April, 2018.

3. The learned Counsel submitted that the impugned order was passed without following principles of natural justice. The petitioners were not heard before passing of the impugned order.

4. The petition was adjourned to facilitate the Counsel for respondents to take instructions.

5. Today, the learned Counsel appearing for respondents on instructions makes a statement that a show-cause notice would be issued to the petitioners and they would be heard and thereafter the respondent authority would pass appropriate orders on its own merits in respect of matter. Both the learned Counsel pray to dispose of this petition and accordingly pass appropriate order.

6. In view of the statement made as above, we quash and set aside the impugned order dated 5th April, 2018.

7. The Respondents shall act in accordance with the statement made as above. The petitioners may record their appearance before the concerned authority on 2nd May, 2018. All issues on merits are kept open. The Petition is accordingly disposed of.

[G.S. KULKARNI, J.]

[NARESH H. PATIL, J.]