

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

LPA No.1857 of 2017 (O&M)

Date of Decision : 27.8.2018

Sharda Devi and another

....Appellants

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.MAHABIR SINGH SINDHU

Present : Mr.Ratnendra Bhardwaj, appellant No.2,
in person.

MAHESH GROVER, J. (Oral)

The appellant, who claims himself to be an RTI activist, had approached this Court seeking a mandamus that respondent No.2-Drug Inspector,Sri Muktsar Sahib be directed to take legal action against the private respondents (arrayed as respondents No.4 to 7 in the writ petition). He alleged that they were running a chemist shop in violation of the Drugs and Cosmetic Act, 1940.

The learned Single Judge noticed that during the pendency of the writ petition the licence of the said respondents had been cancelled and therefore, refrained from passing any further directions.

The appellants claim that their certificates of pharmacy should also be cancelled.

After hearing the appellant No.2, we are of the opinion that the approach of the learned Single Judge cannot be faulted with. The principal grievance of taking action against the private respondents, who are running a chemist shop without a licence has been addressed and there is nothing to show that they are involved in further activities of the kind as alleged by the appellants.

If that is so, then the present appeal and the prayer made therein reeks of vendetta. We are also not convinced with the bona fides of the appellants in persisting with the appeal.

Apart from this, the appeal is also barred by an inordinate delay of 130 days, which we do not intend to condone in the absence of any plausible explanation. However, delay of 7 days in re-filing the appeal is condoned.

Appeal dismissed.

(MAHESH GROVER)
JUDGE

27.08.2018
dss

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No