

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6484 of 2019**

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Dilip Kumar Son of Late Gopal Prasad, Proprietor of M/s Chouraha Medical Hall, G.B. Road, Gol Phattar More, P.S.- Kotwali, District- Gaya, Pincode- 823001.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Health, Bihar, Patna.
2. The State Drug Controller, Directorate Medical Control Administration, Health Services Bihar, Patna 800001.
3. The Assistant Drug Controller cum the Licensing Authority, Gaya.
4. Drug Inspector, Gaya Sadar, Gaya, District- Gaya.

... .. Respondents

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**Appearance :**

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| For the Petitioner/s | : | Mr.Umesh Kumar Singh, Advocate  |
| For the Respondent/s | : | Mr.Birju Prasad, GP-13          |
|                      |   | Mr.Anmol Kumar, J.C. to G.P. 13 |
|                      |   | Mr.Ajit Anand, J.C. to G.P. 13  |

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      25-04-2019                      The petitioner before this Court is aggrieved by the order dated 20.03.2019 passed by the State Drug Controller (respondent no. 2) by which he has affirmed the order dated 31.07.2018 passed by the Assistant Drug Controller, Gaya suspending the drugs license of the petitioner for a period of 60 days from the receipt of the order.

Learned counsel for the petitioner submits that the impugned orders suffer from violation of the principles of natural justice, inasmuch as the order of suspension has been passed without giving a opportunity of hearing to the petitioner.



Learned counsel for the State prays for some time to file counter affidavit.

At this stage, learned counsel for the petitioner submits that only 10 days validity of the impugned orders has remained, therefore, while granting time to the respondent, impugned orders may be stayed.

After going through the records, this Court finds that prior to suspension of the license, the petitioner was called upon to show cause vide Annexure '3' to the writ application. The petitioner replied to the same vide Annexure '4' and thereafter the impugned order dated 31.07.2018 as contained in Annexure '5' to the writ application was passed by the Assistant Drug Controller, Gaya. The perusal of the impugned order as contained in Annexure '5' shows that the reply of the petitioner was also considered but for the reasons stated therein the replies were not found satisfactory and was rejected.

In the aforesaid view of the matter, when the petitioner preferred appeal before the appellate authority, the same was also dismissed vide order dated 20.03.2019 as contained in Annexure '7' to the writ application.

After perusal of the order passed by appellate authority, this Court finds no reason to take a view that the



impugned order suffers from violation of the principle of natural justice. In result, this writ application is found devoid of merit and the same is hereby dismissed.

**(Rajeev Ranjan Prasad, J)**

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