

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14025 of 2019

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M/S Bijya Drug Agency Proprietor Rajiv Kumar, Son of Late Krishna Kumar Bhagat, Proprietor of M/s Bijya Drug Agency Premise situated at Shop No.- 13, Purushottam Palace, G.M. Road, Patna- 04, R/o Flat No.401, Gorakh Nath Singh, Complex, 2 D Rajendra Nagar, P.S.- Kadamkuan, District- Patna.

... .. Petitioner

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 Patna, 4th Floor, N.M. C.H. Campus, Kankarbagh, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Ram Shankar Das, Advocate
For the State : Mr.Ramadhar Singh (GP-2)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-11-2019 After some argument, learned counsel for the petitioner seeks permission to withdraw this writ application with liberty to prefer statutory appeal under the provisions of Drugs and Cosmetics Act, 1940 and the Rule framed thereunder.

Learned counsel for the State has no objection to the petitioner availing the alternative remedy of appeal.

In the given facts and circumstances of the case, the writ application is permitted to be withdrawn with the liberty as prayed.

In case the petitioner applies for the statutory remedy of appeal and a question of limitation arises for consideration,



the same will be considered keeping in view the period spent by the petitioner before this Court. Petitioner may pray for interim relief before the appellate authority.

(Rajeev Ranjan Prasad, J)

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