

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.534 of 2018

Dr. Manilal Rastogi son of Late Purushottam Lal Rastogi, Resident of Dr. B.B. Ghosh Lane, Motijhil, P.S. Muzaffarpur Town, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Animal and Fisheries Resources Department (Animal Husbandry) Government of Bihar, Patna.
3. The Director, Animal and Fisheries Resources Animal Husbandry, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Khurshid Alam- AAG12

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

2 15-01-2019 Heard Mr. Vijay Kumar Singh, learned counsel appearing on behalf of the petitioner and Mr. Arun Kumar, Assisting counsel for the AAG-12 for the State.

The petitioner has filed this writ petition in public interest praying for the following reliefs :

(I) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the Respondent Authorities to make enquiry about the purchase of spurious veterinary medicine by the District Animal Husbandry Officers during the financial years 2014-15, 2015-16 and 2016-17 from Aims International, 599, Treasury Road, Ambala City, Haryana



through its dealer SDL Corporation, Patna on the basis of forged and fabricate documents on the ground that the drug license of Aims International was valid only up to 05.07.2012 as would be evident from the information supplied to the petitioner by the State Public Information Officer-cum-Drug Controller Officer, Patna.

(II) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the Respondent Authorities to recover the alleged amount from the Aims International and its dealer SDL Corporation, Patna and other officers, who are responsible for the purchase of spurious veterinary medicine in whose connivance purchase was made and also lodge the First Information Report against the erring persons.

(III) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.

It is responding to the grievance so raised in this writ petition that a counter affidavit has been filed on behalf of the respondents through the Joint Director (Animal Health), Animal Husbandry Department, Patna, Bihar. Through the affidavit, it is informed that taking note of a grievance so raised that a meeting of Technical Expert Committee under the Chairmanship of the



Joint Director (Head Quarter), Animal Husbandry, Bihar was held and vide Resolution No. 5 taken in the meeting, the Committee after taking cognizance of the complaint relating to the alleged supplies of spurious medicine during the financial year 2014-2015, 2015-2016 and 2016-2017, including the one, which is the subject matter of the present proceeding, resolved unanimously to seek a report from the District, Animal Husbandry Officers and to take further action on its receipt.

The counter affidavit encloses an order bearing Memo No. 237 dated 24.01.2018 whereby a Committee has been constituted for the purpose under the Chairmanship of the Deputy Superintendent, Animal Census, Animal Husbandry, Directorate, Bihar.

The counter affidavit at paragraph-7(g) informs that the committee has not yet submitted its report, however, a reminder has been sent through letters dated 03.08.2018 and 29.08.2018 in this regard by the Director, Animal Husbandry.

Having heard learned counsel for the parties and on consideration of the fact that the State Government taking note of the prayer made by the petitioner has initiated an inquiry and a Committee is examining the issue so raised by the petitioner as well as further issues, we deem it proper to dispose of this



writ petition with a direction to the Director, Animal and Fisheries Resources Department, Animal Husbandry, Government of Bihar, Patna, Respondent no. 3 herein to ensure that the inquiry is concluded expeditiously and the recommendations whatsoever is present therein is taken to its logical conclusion.

With the observations and directions, as above, this writ petition is disposed of.

(Jyoti Saran, J)

(Arvind Srivastava, J)

Shailendra/-

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