

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17717 of 2019**

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Suresh Mukhiya Son of Asharphi Mukhiya, resident of village- Kalyanpur  
Khas, P.S. Kotwa, District- East Champaran. .. ... Petitioner/s

Versus

1. The Union of India through the Department of Health and Family Welfare,  
Government of India, New Delhi- 110001
2. The Director, All India Institute of Medical Science, Phulwarisharif, Patna-  
801505
3. The Deputy Director (Administration), All India Institute of Medical Science  
Phulwarisharif, Patna- 801505 Bihar.
4. The Medical Superintendent, All India Institute of Medical Science  
Phulwarisharif, Patna- 801505
5. The State of Bihar through the Principal Secretary, Department of Health.
6. The State of Bihar through the State Licensing Authority-cum-Drug Control  
Administration, Patna in the Department of Health, Government of Bihar,  
District- Patna, Bihar. ... ... Respondent/s

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**Appearance :**

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|------------------------|---|--------------------------------------------------------|
| For the Petitioner/s   | : | Mr.Ashutosh Kumar, Adv.<br>Mr. Ambuj Kr. Chandra, Adv. |
| For the State          | : | Mr.Ajay Bihari Sinha, GA 8                             |
| For the AIIMS          | : | Mr. Binay Kr. Pandey, Adv.                             |
| For the Union of India | : | Mr. S.D. Sanjay, ASG<br>Mr. Kanak Verma, Adv.          |

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**and**  
**HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)**

2      02-09-2019                      Heard learned counsel for the petitioner and learned  
counsel for the respondents.

2. In this case, the petitioner has raised a grievance for  
running of a Chemist Shop by Sri Umiya Enterprises.

3. The issue with regard to grant of work to run Chemist  
Shop came for consideration before this Court in C.W.J.C. No.729 of  
2015, which was challenged by Sri Umiya Enterprises in L.P.A. No.  
1413 of 2016, wherein the Court has refused to look into the matter



further, as the period was going to expire. The grievance has been raised in the present case by the petitioner that Sri Umiya Enterprises is still running a Chemist Shop. The petitioner has stated that he is an Advocate, practicing in Patna High Court, but in the cause title, he has mentioned that he is resident of district-East Champaran, it does not stand to the reason that if a person resides in the district East Champaran, how he could practice in Patna High Court without the local address and also he has not stated in the pleading, how he could acquire information of wrong doing to allow the Chemist Shop to operate, inasmuch as it has been informed by the Union of India that the rival party has already filed the application before this Court, raising identical grievance of running of Chemist Shop by Sri Umiya Enterprises.

4. In such view of the matter, this Court does not find any purpose to keep the matter pending, as we are not satisfied to treat this writ petition as P.I.L. matter.

5. Accordingly, this petition is dismissed.

**(Shivaji Pandey, J)**

**(Partha Sarthy, J)**

Mahesh/-

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