

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6225 of 2020

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M/s J. K. Enterprises Represented by Proprietor Jamun Ram aged about 40 years, S/O- Gaggo Ram, Premise situated at Sahganj, Benta, Laharia Sarai, Darbhanga, R/O- 15, Maa Janki Rest House, Beta, Sahganj, Ahila D.M.C. P.S.- Laharia Sarai, District- Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, New Secretariat, Patna.
2. The State Durg Controller-Cum- Chief Licensing Authority, New Secretariat, Bihar, Patna.
3. The Assistant Drug Controller, Drug Control Administration Darbhanga.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Das, Advocate
For the Respondent/s : Mr. Vikash Kumar, SC 11

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-06-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

The petitioner seeks quashing of the order dated 25.3.2020 bearing Memo No. 333 issued by the Assistant Drug Controller, Darbhanga, cancelling petitioner's licenses.

Submission is made by the learned State Counsel that the petitioner's remedy lies before the State Government under Rule 66(2) of the Drugs and Cosmetics Rules, 1945.



In view of such submission of the State Counsel, learned Counsel for the petitioner submits that he may be permitted to approach the State Government for redressal of his grievances. It is further submitted that this Court in the meantime may stay operation of the order dated 25.3.2020 issued by the Assistant Drug Controller, Darbhanga.

Since the petitioner has remedy under the Drugs and Cosmetics Rules and proposes to avail of the said remedy, prayer for interim or final relief is required to be considered by the authority, before which the petitioner proposes to avail his remedies.

The writ petition is disposed of with a liberty to the petitioner to avail of his remedy before the State Government.

(Madhuresh Prasad, J)

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