

Bhushan Kumar

.....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Dharam Bir Bhargav, Advocate for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

LISA GILL, J.

A specific objection has been raised on behalf of the respondents that the petitioner has not availed statutory remedy of appeal available to him under Rule 66 (2) of the Drug and Cosmetics Rules, 1945 which provides that a licensee, whose licence has been suspended or cancelled, can prefer an appeal to the State Government within three months of the date of order.

Learned counsel for the petitioner submits that he may be permitted to withdraw this writ petition with liberty to file an appeal, however, objection of limitation be not raised against him as he filed the present writ petition for challenging order dated 18.06.2020, on 31.07.2020.

Learned counsel for the State submits that keeping in view the facts and circumstances and specifically, outbreak of the pandemic, COVID-19 as well, objection regarding limitation shall not be raised in case, the appeal is filed expeditiously.

In view of the facts and circumstances as above, writ petition is dismissed as withdrawn with liberty to the petitioner to avail remedy available to him. In case, such an appeal is filed within fifteen (15) days of

receipt of certified copy of this order, question of limitation be decided sympathetically and appeal be decided within a period of one month.

March 18, 2021
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No