

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21569 of 2019

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M/s Gleen Medicos represented by Madhusudan Kumar, aged about 61 yrs old, S/o- late Rajeshwari Prasad Singh, R/o- 3a, Arya Kumar Road, Shri Ram Enclave Rajendra Nagar P.S.- Kadamkua, District- Patna, Premises situated at Raghunath Nagar, Jakariyapur, New Bye Pass Road, P.O.- Pahari, P.S.- Ram Krishna Nagar, Dist.- Patna.

... .. Petitioner/s

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 Durg Controller, Drug Control Administration, Patna, 4th Floor, NMCH, Campus Kankarbagh, Patna- 20.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Rajeshwar Singh, GA-10

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 15-12-2022

Petitioner has prayed for the following relief(s):-

“A. A writ in the nature of Certiorari or any appropriate writ/s, order/s, direction/s, commanding to the respondents for the following reliefs:

- i. To quash the order dt. 24.04.19 as contained in Memo no. 365 passed by the Respondent No.3 The Assistant Drug Controller Patna by which the Drug Licence of the medicinal Shop of the petitioner has



been suspended without considering the material available on the record & illegally on Non-est ground for a period of 30 days.

ii. To quash the order dt. 25.09.19 passed by the appellate authority cum Principle Secretary Health Department, Bihar Patna in appeal case no. 14/2019, whereby the Appellate authority cancelled the license of the petitioner by converting the suspension order for a period of 30 days into cancellation without application of mind in arbitrary manner. The appellate authority cannot act like original authority.

iii. To treat the wholesale Drug licence no. PAT-254/2016 Form-20 B, PAT -254A Form 21B issued on 22.04.2016 renewed up to 21.04.2021 to be valid and operative which has been illegally suspended against the provision of law.

B. Any other relief or reliefs as your Lordships may deem fit and proper in the facts and circumstances of the case.”

On 12.12.2022, we had passed following order:-

“Despite repeated calls, none has entered appearance on behalf of the petitioner. However, in the interest of justice, matter is adjourned.

List on 15.12.2022, in the category of "Order Matters".”

Even today, despite repeated calls, none has entered appearance on behalf of the petitioner.



As such, the present petition stands dismissed for default.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	20.12.2022
Transmission Date	

