

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8964 of 2023

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M/s New Shiv Medical Hall Represented by Proprietor Rameshwar Prasad (male), aged about 57 years, S/o- Harischand Prasad, Premise situated at Mairwa Dham, Mairwa, P.O.- Mairwa, District- Siwan, R/o Mairwa Anugrah Nagar District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief 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 Drug Controller, Drug Control Administration, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Das. Adv.
For the Respondent/s : Mr. Kamlesh Kishore, AC to SC-12

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 03-07-2023 Without going into merits or demerits of the case, having regard to the facts and circumstances of the case, there is statutory appeal provided under the Act against the impugned order. The petitioner is directed to approach the appellant authority challenging the impugned order (Annexure-4) and such appeal is being filed. The appellate authority shall concern the same and pass the orders on merit.

The perusal of the impugned order shows that there is no pharmacist appointed by the petitioner to run the medical shop, which is mandatory under the law and clause 4 of the order shows that the petitioner has granted a period of 45 days



to appoint a pharmacist. Having regard to the same, the petitioner is free to appoint a pharmacist for the shop, if so advised.

With the above observation, the writ petition is disposed off.

(A. Abhishek Reddy, J)

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