



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14977 OF 2023

Krishna Chemist	...Petitioner
Versus	
State of Maharashtra & Anr.	...Respondents

Mr. Dhairyasheel Sutar, for the Petitioner.

Mr. S. D. Rayrikar, AGP, for the State/Respondent Nos.1 and 2.

CORAM : MADHAV J. JAMDAR, J.

DATED : 5th DECEMBER 2023

P.C. :

1. Challenge in the present Writ Petition is to the legality and validity of the order dated 25th September 2023 passed by the Assistant Commissioner, (Drugs) Zone 3, Food and Drug Administration, Bandra, Mumbai. By the impugned order, the license of the Petitioner to operate pharmacy has been suspended for a period of 35 days w.e.f. 4th December 2023 to 7th January 2024.
2. It is the contention of Mr. Sutar, learned counsel appearing for the Petitioner that there is statutory Appeal provided under Rules 66(1) and 67-H (2) of the the Drugs and Cosmetic Rules, 1945. He

states that the said Appeal has been filed on 30th October 2023 and neither the said Appeal nor the stay application in the said Appeal is considered by the Respondent No.1.

3. In view of above, Mr. Rayrikar, learned AGP appearing for the State/Respondent Nos.1 and 2, after taking instructions states that the said Appeal will be disposed of within a period of two months from today.

4. Accordingly, the Hon'ble Minister of Food and Drug Administration is requested to dispose of the said Appeal on or before 29th February 2024.

5. Till the disposal of the said Appeal, no coercive steps be taken against the Petitioner.

6. The Writ Petition is disposed of in above terms with no order as to costs.

7. It is clarified that this Court has not considered the merits and all contentions on merits are expressly kept open.

[MADHAV J. JAMDAR, J.]