

18.04.2024

Ct. no.654

Sl. No.5

SS

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)**

WPA 7798 of 2024

Prabir Bhowmik

Vs.

**The Secretary, Department of Health &
Family Welfare & Ors.**

Mr. Debkumar Maiti

..for the petitioner

Mr. Sirsanya Bandopadhyay

Mr. Ritesh Kr. Ganguly

..for the State

Mr. Sambhu Nath Bera

... for the respondent nos.8 & 9

Affidavit of service filed on behalf of the petitioner is taken on record.

Mr. Debkumar Maiti, learned Advocate for the petitioner submits that the petitioner was the proprietor of M/s. New Priti Medical Stores and was carrying on the medicine shop under Drug Licence No.DL(Mid)6280-SB dated 10th November, 1998 issued by the Director of Drugs Control, Bankura Regional Division, Government of West Bengal. The said licence was renewed from time to time. However, the concerned authority failed to consider the application of the petitioner made on 20th December, 2021 for further renewal of licence. He seeks for appropriate order.

Mr. Ritesh Kr. Ganguly, learned Advocate for the State-respondent submits that as per the Notification No.H/TDE/82/3D-14/2015 of Special Secretary to the Government of West Bengal, the application for renewal of drugs licence is to be made through 'e-Vesaj'. The

petitioner has not yet filed his application in proper format for renewal of the drug licence through 'e-Vesaj' system and therefore, the writ petition is bereft of any cause of action. He files copy of the aforesaid notification which is taken on record.

The petitioner had made application for renewal on 20th December, 2021 in plain paper. However, such application has not been made in proper format through 'e-Vesaj' system as per notification issued by the Government of West Bengal vide Notification No.H/TDE/82/3D-14/2015.

In view of the above, since no application has been made by the petitioner for renewal of his licence in proper form, liberty is granted to the petitioner to apply for renewal of the licence through 'e-Vesaj' system in the format provided by the State authorities vide notification No. H/TDE/82/3D-14/2015. If such application is made by the petitioner through 'e-Vesaj' system, the respondent no.3, the District Drugs Controller of Purba Medinipur at Tamluk is directed to consider the same in accordance with law.

With the aforesaid direction, the writ petition being **W.P.A. 7798 of 2024** stands disposed of.

All connected applications, if any, stand disposed of.

There will be, however, no order as to costs.

Interim order, if any, stands vacated.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(Bivas Pattanayak, J.)