



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

923 WRIT PETITION NO.11157 OF 2024

Ms Poonam Janjagruti Sanstha Sanchalit
The Ashtavinayak Blood Bank

....Petitioner

Versus

The Honble Minister
Food and Drugs Administration Department
And Others

..Respondents

.....

Mr. Amit A. Yadkikar, Advocate for the Petitioner
Mr. S. J. Salgare, AGP for the Respondent / State

.....

**CORAM : R. G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

Dated : OCTOBER 09, 2024

PER COURT :-

. The petitioner has filed this petition with the following
prayers :

“A. The Respondent no.1 may kindly be directed to hear and decide the appeal (Exhibit G Colly) filed by the Petitioner under Rule 122(O)(2) of the Drug Rules, 1945 read with the Drugs and Cosmetics Act, 1940, expeditiously in light of the order impugned therein dated 09/07/2024 passed by the Respondent no.4, whereby, the licence of the Petitioner’s Blood Bank has been directed to be suspended for a period of 3 days commencing from 10/10/2024 to 12/10/2024, preferably before 08/10/2024.

B. In the alternative, if it is not possible to conclude the hearing of the appeal before 08/10/2024, the Respondent no.1 may kindly be directed to hear and decide the appeal filed by the Petitioner (i.e. Exhibit G Colly), within such reasonable period as this Hon’ble Court may deem appropriate,

C. During the pendency of the appeal (i.e. Exhibit G Colly) before the Respondent no.1, or till the Respondent no.1 passes appropriate interim orders in the said appeal, the effect and

operation of the order dated 09/07/2024 passed by the Respondent no.4 (i.e. Exhibit F) may kindly be stayed.

D. Ad interim orders with respect to prayer clause 'C' may kindly be passed."

2. It is submitted by the learned AGP appearing for the State, on instructions, that the Petitioner was given hearing by the Respondent No.1 today i.e. 09.10.2024 and thereafter appropriate order would be passed.

3. The learned Advocate for the Petitioner submits that the notice for hearing was given to the Petitioner yesterday i.e. 08.10.2024 at 05:30 p.m. and no full hearing was given by the Respondent No.1.

4. Considering the above submission made by the learned AGP that the Petitioner was heard by Respondent No.1 and considering the nature of prayer clause 'B', we allow the petition in terms of prayer clause 'B'.

5. Authenticated copy of this order be provided to the parties to act upon.

(NEERAJ P. DHOTE, J.)

(R. G. AVACHAT, J.)

GGP