
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10066 OF 2024

M/s Samrat Medical and General Stores

.. Petitioner

Versus

Assistant Commissioner Food and Drugs
Administration & Anr

.. Respondents

Mr. Rushikesh Kekan, Advocates for the Petitioner.

ANJALI
TUSHAR
ASWALE

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ANJALI TUSHAR
ASWALE
Date: 2024.07.24
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***Mr.A. I. Patel, Addl.G.P.with Ms.P. N. Diwan, AGP, for the
Respondent/State.***

CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.
DATE: JULY 23, 2024

P. C.

The above Writ Petition is filed seeking a writ of mandamus to Respondent No.2 to decide the Appeal dated 18th June, 2024 filed by the Petitioner as expeditiously as possible and in a time bound manner.

2 The learned AGP appearing on behalf of the Respondents, on instructions, has stated that the Appeal filed by the Petitioner shall be heard and decided within a period of 30 days from today.

3 Accepting the aforesaid statement, we dispose of the above Writ
Petition by directing Respondent No.2 to decide the Appeal of the Petitioner
dated 18th June, 2024 as expeditiously as possible and in any event on or
before 22nd August, 2024. In the meanwhile, and without prejudice to the
rights and contentions of the parties, till the decision of the aforesaid Appeal,
the suspension order, and which is the subject matter of the Appeal, shall
remain stayed.

4 Needless to observe that in the event the Petitioner fails in its
Appeal, it would be certainly within the powers of the Appellate Authority to
modify the period of suspension and impose a future period of suspension on
the Petitioner, if it so chooses to do. All contentions of the parties in the
pending Appeal are expressly kept open.

5 The Writ Petition is accordingly disposed of. No order as to costs.

6 This order will be digitally signed by the Private Secretary/
Personal Assistant of this Court. All concerned will act on production by fax
or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]