
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 13229 OF 2024

Shivam Medical and General Stores

.. Petitioner

Versus

**Assistant Commissioner,
Food and Drug Administration & Anr.**

.. Respondents

Adv. Rushikesh S. Kekane for the Petitioner.

Mr. A. I. Patel, Addl.G.P. a/w M. M. Pabale, AGP for Respondent Nos.
1 and 2.

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

P. C.

1. The above Writ Petition is filed to direct Respondent No.2 to decide the Appeal filed by the Petitioners dated 12th September, 2024 as expeditiously as possible and in a time bound manner. The interim relief sought is that this Court be pleased to stay the operation, implementation and execution of the impugned order dated 10th June, 2024 passed by Respondent No.1. By the impugned order, the license of the Petitioner is permanently cancelled and which is to take effect from today.

2. When we inquired from the learned AGP appearing for the Respondents, he stated that he does not have any instructions as to within how much time the Appeal would be disposed of. He submitted that any reasonable time be fixed for disposal of the Appeal filed by the Petitioners before Respondent No.2.

3. Considering these circumstances, we dispose of the above Writ Petition by directing that the Appeal filed by the Petitioner shall be disposed of by Respondent No.2 within a period of eight weeks from today [i.e. on or before 18th November, 2024].

4. In the meanwhile, and without prejudice to the rights and contentions of the parties, till the decision of the aforesaid Appeal, the effect, implementation and execution of the impugned order dated 10th June, 2024, and which is the subject matter of the Appeal, shall remain stayed.

5. Needless to observe that in the event if the Petitioners fail in their Appeal, it will certainly be within the powers of the Appellate Authority to pass whatever orders it deems fit.

6. All contentions of the parties in the pending Appeal are expressly kept open and we have not opined on the merits of the matter on way or the other.
7. The Writ Petition is accordingly disposed of. No order as to costs.
8. 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.]