

2024.PHHC.149102



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

121

CWP-30497-2024

Date of Decision: 14.11.2024

M/S 24 HOURS PHARMACY

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Deepak Sabherwal, Advocate
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

Mr. Akshay Bhan, Sr. Advocate with
Mr. Arora Vishwas Kumar, Advocate and
Mr. Abhijeet Rawaley, Advocate
for respondent No.3.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the orders dated 07.11.2024 (Annexures P-25 and P-26) and order dated 08.11.2024 (Annexure P-27) vide which the applications for grant of fresh Retail and Wholesale Drug Licences were rejected by the Zonal Licensing Authority (Drugs) Jalandhar Zone on the ground that the applications were submitted to it beyond the time period granted by this Court in its common order dated 30.09.2024, vide which the CWP-14368-2020 and CWP-12318-17 were disposed of.

Counsel for the petitioner contends that owing to certain communication gap, the applications in question had been submitted beyond the



time prescribed by this Court for submission of such applications and that the same have been rejected by the concerned Authority solely on the said ground i.e. delay in filing the applications. He thus prays that the period of submission of the said applications may be extended so that adjudication of the said applications may be undertaken by the respondent-Authority on merits of the same.

Learned Sr. Counsel for respondent No.3, on the other hand, contends that the rejection of the application was done correctly since a specific time period was granted by this Court for filing the requisite applications, which the petitioner failed to comply with.

I have heard the learned counsel for the respective parties and have gone through the records available on the case file, with their able assistance.

Noticing that the issuance of any formal notice would only delay the matter further, I deem it appropriate at this stage to dispense with the issuance of notice and filing of response by the respondents.

Without going into the reasons that may have caused the delay in submission of the applications for issuance of fresh Retail and Wholesale Drug Licenses to the petitioner, I deem it appropriate and am of the opinion that ends of justice would be well served in case the applications that were filed by the petitioner beyond the time prescribed by this Court, are treated as being in compliance of order dated 30.09.2024 (supra) passed by this Court and adjudication thereof is done by the concerned Authority on merits of the same, after granting an opportunity of hearing to the respective parties.



CWP-30497-2024

-3-

Since the applications already stand filed, the parties are directed to appear before respondent No.2-Zonal Licensing Authority (Drugs), Jalandhar Zone on 25.11.2024 and a decision on merits may be taken on the said applications within a period of 30 days of such appearance.

The interim protection granted in favour of the petitioner vide order dated 30.09.2024 (supra) shall stand extended as per the new timelines framed hereinabove.

Petition stands allowed accordingly.

NOVEMBER 14, 2024.
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No