IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

916 WRIT PETITION NO. 15967 OF 2026

SHAIKH RAEES SHAIKH MIYA
VERSUS
STATE OF MAHARASHTRA THR ASST COMMISSIONER AND LICENSING AUTHORITY ZONE I

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Advocate for the Petitioner : Mr. Muthiyan Namit Sunil.
AGP for Respondent/s-State : Ms. Vaishali S. Chaudhary.
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CORAM : MANJUSHA A. DESHPANDE, J.
DATE : 04.11.2026

PER COURT :-

1. The petitioner is challenging the order dated 30.10.2026 passed by the sole respondent.

2. Learned advocate for the petitioner submits that, he would be satisfied as the petitioner is protected by order of this Court and grant him some time for approaching the Appellate Authority. It is the case of the petitioner that, the Drug Inspector visited the medical shop of the petitioner and after visiting based on the inspection report, a show cause notice has been issued on 17.08.2026. In response, the petitioner has filed a detailed reply to the show cause notice on 08.09.2026. The petitioner was heard on 29.10.2026 and immediately thereafter by order dated 30.10.2026 an order suspending the

license of the petitioner has been passed by the respondent. The learned counsel for the petitioner, drawing my attention to the impugned order dated 30.10.2026, pointed out that, while the order suspending the petitioner's licence was passed on 30.10.2026, its effective implementation was scheduled for 04.11.2026 i.e. is today. He submits that, though he has received the copy of the order dated 30.10.2026 on that day itself, which informs that, if at all the petitioner is aggrieved by the order, he has a remedy of approaching the Appellate Authority as provided under Section 66 (2) of the Drugs and Cosmetics Rules, 1945. It did not provide sufficient time to approach the Appellate Authority so as to obtain necessary protection orders. Hence, he has approached this Court.

3. The order impugned and the dates mentioned herein above disclose that, admittedly no sufficient time has been granted to the petitioner, for obtaining the orders against the impugned order by approaching the Appellate Authority. Although the period of 90 days is provided for filing an appeal against the impugned order. The effect of order is given immediately on 04.11.2026.

4. In view thereof, it would be appropriate to grant protection to the petitioner for a period of three (3) weeks so

as to enable him to approach the Appellate Authority and obtain necessary orders from the Appellate Authority. Hence, I pass the following order :

O R D E R

(i) Writ Petition is partly allowed.

(ii) The order dated 30.10.2026 issued by the Respondent Authority in exercise of his powers under the Drugs and Cosmetics Rules, 1945 shall not be acted upon for a period of three (3) weeks from the date of this order.

(iii) With this direction, Writ Petition stands disposed of.

(MANJUSHA A. DESHPANDE, J.)

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vmk/-