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PALLAVI MAHENDRA WARGAONKAR

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Date: 2026.10.03 11:15:42 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12909 OF 2026

Ashish Life Science Pvt. Ltd. ...Petitioner

Versus

State Of Maharashtra
Thr The Ministry Of Food And
Drug Administration And Ors. ...Respondents

...

Mr. Mayur Khandeparkar a/w Ms. Shubhra Swami, Mr. Sagar Shetty, Ms. Meghna Vijan i/b. Sagar Shetty for the Petitioner.

Mr. P.P. Kakade, Addl. GP a/w Mrs. P.J. Gavhane, AGP for the Respondent Nos.1 to 4 - State.

...

CORAM : MAHESH CHANDRA TRIPATHI, CJ. &
ADVAIT M. SETHNA, J.

DATE : 1st OCTOBER, 2026.

P.C.:

1. We have heard the learned counsel for the parties.

2. This instant Petition is filed praying for the following substantive reliefs:-

> *"a) Issue a Writ of Certiorari or any other appropriate writ, order, or direction in the nature thereof, calling for the records and proceedings pertaining to Cancellation Order dated 01/07/2026 issued by Respondent No.3 - the Office of Joint Commissioner (Konkan Division), Food & Drug Administration (Maharashtra State), and after examining the legality, validity, and propriety thereof, be pleased to qu and set aside the said impugned Cancellation Order.*

b) Issue a Writ of Certiorari or any other appropriate writ, order, or direction in the nature thereof, directing the Respondents to forthwith revoke Show Cause Notice dated 04/06/2026 bearing No. SCN/60-2026/Pal.03 under Rule 85(2) of the Drugs and Cosmetics Rules, 1945.

c) In the alternative, issue Writ of Mandamus or any other appropriate writ, order, or direction in nature thereof, directing Respondent No.1 to dispose of the Appeal pending before Respondent No.1 in a time bound manner, before 01/10/2026."

3. At the outset, Mr. Mayur Khandeparkar, the learned counsel for the Petitioner states that the statutory Appeal under Rule 85(3) of the Drugs and Cosmetics Rules, 1945 filed by Petitioner against the Impugned Order dated 1st July 2026 passed by the Respondent No.3 - Joint Commissioner (Kokan Division) and Licensing Authority (Food & Drug Administrative (M.S.) Thane, has been already decided.

4. In view of these facts and circumstances, we are not inclined to proceed further in this proceeding.

5. Considering the above, the Petitioner is at liberty to institute fresh proceedings in accordance with law, if so advised.

6. The Writ Petition is Disposed Of in the above terms.

[ADVAIT M. SETHNA, J.] **[CHIEF JUSTICE]**