IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO.16434 OF 2026

M/s. S.M.Medical Stores Through Meghraj Damodar Nalapure
VERSUS
The State Of Maharashtra Through Secretary And Others
...
Advocate for Petitioner : Mr. R.P. Cheble
AGP for Respondents : Mr. K.S. Patil
...

CORAM : MANJUSHA DESHPANDE, J.
Dated : November 26, 2026

PER COURT :-

1. Heard.

2. Issue notice to the Respondents. Learned A.G.P. waives notice for all the respondents.

3. The petitioner has approached this Court with the limited prayer of granting him protection for a period of one week by suspending the impugned order dated 19.11.2026 passed by the Assistant Commissioner of Food and Drug Administration (FDA), (Maharashtra State), Latur.

4. Learned advocate appearing for the petitioner submits that the petitioner is running a Medical Store, which is attached to a hospital with Ten (10) Beds of ICU. The order suspending license of the petitioner has been issued on 19.11.2026, which was to come into effect from 26.11.2026 to

25.12.2026. The license is suspended for thirty days. It is submitted that since the impugned order has been issued on 19.11.2026, petitioner did not have sufficient time to approach the appellate authority as provided under Rule 66 (2) of the Drugs and Cosmetics Act, 1940 and Rules made thereunder.

5. Considering the fact that the ICU Ten Beds Hospital is attached to medical stores and sufficient time was not available with the petitioner to approach appellate authority, some protection deserves to be granted to the petitioner. It is submitted that the petitioner has already approached the authority on 25.11.2026 by way of filing an appeal. However, he would require some time to obtain protection orders from the appellate authority. In my view, it would be appropriate to grant some protection to the petitioner till some orders are passed by the appellate authority. As such, without going into merits of the matter, writ petition is **disposed of** by issuing directions to the respondents that impugned order dated 19.11.2026 shall not be given effect for a period of **Ten (10)** days from the date of this order. It is made clear that, this Court has not passed any order on merits of the matter and all rights and contentions of the parties are kept open to be agitated. The impugned order shall be kept in abeyance for a

period of Ten (10) days. With the aforesaid directions, writ petition is **disposed of.**

6. The learned AGP shall communicate the order passed by this Court to the appropriate authority **forthwith**.

7. Parties to act on an authenticated copy of this order.

(MANJUSHA DESHPANDE, J.)

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aaa/-