

GAHC010053892026



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1663/2026

SRI BIJOY KRISHNA DEY
S/O- LATE RAKHAL CHANDRA DEY,
R/O- DHING BAGAN,
P.O AND P.S- DHING, DIST- NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM AND OTHERS
REPRESENTED BY THE COMMISSIONER SECRETARY TO THE
GOVERNMENT OF ASSAM, HEALTH FAMILY WELFARE DEPARTMENT,
DISPUR, GUWAHATI.PIN - 781006.

2:THE DISTRICT COMMISSIONER
NAGAON
ASSAM
PIN-782001

3:THE CIRCLE OFFICER
DHING REVENUE CIRCLE
P.O AND P.S- DHING
DIST-NAGAON
ASSAM
PIN-782123

4:THE INSPECTOR OF DRUGS
O/O THE DRUGS CONTROL ADMINISTRATION
DIST-NAGAON
ASSAM
PIN-782001

5:THE SUB DIVISIONAL MEDICAL OFFICER
O/O THE JOINT DIRECTOR OF HEALTH SERVICES

DIST-NAGAON
ASSAM
PIN-78200

For the Petitioner(s) : Mr. K. Baruah, Advocate

For the Respondent(s) : Mr. D. Upamanyu, SC, Health
Mr. R. Talukdar, Govt. Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

28.04.2026

Mr. K. Baruah, the learned counsel appearing on behalf of the Petitioner submitted that the Petitioner would like to withdraw the instant writ petition with the liberty to refile. The learned counsel for the petitioner further submitted that in the meantime, pursuant to the sealing of the pharmacy which is challenged in the instant proceedings, the license of the Petitioner as a Pharmacist was cancelled and the said cancellation was under challenge in another writ proceedings being WP(C) No.2020/2026. The learned counsel for the Petitioner submitted that the learned Coordinate Bench of this Court vide an order dated 27.04.2026 disposed of the said writ petition with a direction to the Appellate Authority to dispose of the Appeal within a period of 30 days. He, therefore, submitted

that in the circumstance, if the Appeal is allowed, the Petitioner should be given the liberty to revive the prayer by filing a separate writ petition.

2. Mr. D. Upamanyu, the learned counsel appears on behalf of the Health and Family Welfare Department.

3. Taking into account the submission made by the learned counsel appearing on behalf of the Petitioner, the instant writ petition stands closed on withdrawal and the Petitioner is also granted the liberty to refile in the circumstance the cancellation of the Petitioner's pharmacy license is set aside and/or the Petitioner is in a position to engage another licensed Pharmacist.

JUDGE

Comparing Assistant