



**IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH**

DATED THIS THE 24TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201693 OF 2026 (GM-RES)

BETWEEN:

BADGU HEALTH SERVICES PVT LTD
HAVING REGISTERED OFFICE AT
1ST FLOOR, NOS. 4501/4B AND 4-501/4C
MEDICARE MULTI SPECIALITY HOSPITAL,
SANGTRASHWADI, DARGA ROAD,
KALABURAGI-585104
REPRESENTED BY ITS MANAGING DIRECTOR
VINOD KUMAR BADGU
S/O. VISHNU
AGED ABOUT 41 YEARS
R/O. H. NO. 1024,
DARGA ROAD, BHAVANI NAGAR
MAKTAMPURA KALABURAGI - 585103

...PETITIONER

(BY SRI ABDUL MUQHTADIR, ADV.)

AND:

1. DRUGS CONTROLLER GENERAL INDIA
CENTRAL DRUGS STANDARD CONTROL ORGANIZATION,
MINISTRY OF HEALTH AND FAMILY WELFARE
DIRECTORATE GENERAL OF HEALTH SERVICES
GOVERNMENT OF INDIA
FDA BHAVAN, ITO,
KOTLA ROAD 110002
2. ADDITIONAL DRUGS CONTROLLER
AND LICENSING AUTHORITY
OFFICE OF THE DRUGS CONTROLLER
FOR THE STATE OF KARNATAKA,
PALACE ROAD, BENGALURU - 560001





3. DY. DRUGS CONTROLLER AND
LICENSING AUTHORITY,
REGIONAL OFFICE, KALABURAGI
S NO. 17, CA SITE NO. 4/1,
MSK MILL COMPOUND, KALABURAGI - 585103

...RESPONDENTS

(BY SRI MALLIKARJUNA SAHUKAR, AGA)

THIS WRIT PETITION FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER
BEARING NO. FSDA/DDC-K/BC/2025-26/06/06 DATED 10.04.2026
VIDE ANNEXURE-E ISSUED BY RESPONDENT NO. 3, ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING,
THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

1. Petitioner is before this Court under Article 226 of
the Constitution of India, seeking for the following reliefs:

a) Issue an appropriate order/direction/writ in
nature of certiorari to quash impugned order bearing
No.FSDA/DDC-K/BC/2025-26/06/06 dated 10.04.2026
vide Annexure-E issued by Respondent no.3.

b) Issue an appropriate order/direction/writ in
nature of mandamus directing the Respondents to
approve the License Renewal Application submitted at the
Respondent no.1 Online Drug License system Portal.

c) Grant costs.



d) Such other relief/s as this Hon'ble Court may deem fit to grant in the circumstances of the case and in the interest of justice and equity.

2. Heard the learned Counsel for the petitioners and the learned AGA for the respondents.

3. Petitioner was issued with a license to operate a blood centre for collection, storage and processing of whole human blood and/or its components for sale or distribution. The copy of the original license dated 13.02.2015 is produced at Annexure-A. The said license was in force from 13.02.2015 to 12.02.2020. Subsequently, the said license was validated for the period from 13.02.2020 to 12.02.2025. Thereafter, the petitioner had filed an application for renewal of its license which has been rejected vide the impugned endorsement at Annexure-E dated 10.04.2026 issued by respondent no.3. Aggrieved by the same, petitioner is before this Court.

4. Learned Counsel for the petitioner placing reliance on Rule 120-O of the Drugs & Cosmetics Rules, 1945, submits that no opportunity to show cause why the prayer for renewal of the license should not be rejected was given to the petitioner



which is mandatory in nature. He submits that, since the order impugned has been passed in violation of principles of natural justice, the same cannot be sustained.

5. Per contra, learned Additional Government Advocate has submitted that, the order impugned would go to show that, a show-cause notice was issued on 21.10.2021 and therefore, it cannot be said that, there is no compliance of Rule 122-O of the Rules, 1945 in the present case.

6. It is not in dispute that, the petitioner was issued with a license in Form 28-C on 13.02.2015 as per Annexure-B which was valid for the period from 13.02.2015 to 12.02.2020. It appears that, subsequently the said license was validated for the period from 13.02.2022 to 12.02.2025. The show-cause notice dated 21.10.2021 was issued during the course of consideration of petitioner's prayer for the renewal of license for the period from 13.02.2020 to 12.02.2025. Annexure-C is a validity certificate dated 29.08.2020 which states that, pending consideration of the petitioner's application for renewal of licence from 13.02.2020 to 12.02.2025, the license issued to the petitioner dated 13.02.2025 is deemed to be valid and in



force till the decision is taken on the said application. Therefore, till 12.02.2025 the petitioner had a valid license. After expiry of the same, the licence is to be renewed for the period from 13.02.2025 to 12.02.2030. For the said purpose, the petitioner has filed an online application as per Annexure-D.

7. The impugned endorsement is now issued after the online application at Annexure-D was filed by the petitioner for renewal of his licence for the period from 13.02.2025 to 12.02.2030. If that is so, the respondents were suppose to issue a show-cause notice as provided under Rule 122-O of Rules, 1945 before canceling the licence issued to the petitioner. Rule 122-O clearly states that the licensing authority is required to issue a show-cause notice to the licensee before canceling or suspending the licence granted under the provisions of Drugs & Cosmetic Act, 1940. In the present case, it appears that, Rule 122-O has not been complied and therefore, the impugned order apparently has been passed in violation of the principles of natural justice. Therefore, on this short ground, the impugned order at Annexure-E dated



10.04.2026 issued by the respondent No.3 needs to be quashed.

8. Accordingly, the following :

ORDER

(i) The writ petition is allowed;

(ii) The impugned order at Annexure-E dated 10.04.2026 issued by respondent No.3 is quashed and a direction is issued to the said respondent to consider the application of the petitioner for renewal of its licence for the period from 13.02.2025 to 12.02.2030 in accordance with law, taking into consideration the observations made herein above.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE