**WRIT OF CERTIORARI**

IN THE HON’BLE HIGH COURT AT\_\_\_\_\_\_\_\_\_

(Original Civil Jurisdiction)

Writ Petition No\_\_\_\_\_\_\_\_\_of \_\_\_\_\_\_\_\_\_ , 20 \_\_\_\_\_\_\_\_\_

A \_\_\_\_\_\_\_\_\_ Petitioner;

Versus

1. State of \_\_\_\_\_\_\_\_\_

2. Drug Controller \_\_\_\_\_\_\_\_\_

3. Appellate Authority \_\_\_\_\_\_\_\_\_ Respondents.

Petition under Article 226 of the Constitution for the issue of a writ of certiorari.

To

The Hon’ble the Chief Justice and his companion Judges of the Hon’ble High Court of Judicature.

The abovenamed Petitioner begs to submit as under :

1. That the Petitioner is a stockist and dealer in drugs and carries on his business in the name and style of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_at \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. That the Petitioner held a drug dealer’s licence No\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. dated \_\_\_\_\_\_\_\_\_\_\_\_\_ and has been carrying on this business for the last six years.

3. That on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ the Petitioner received a notice from Respondent No. 2 to show cause why his licence should not be cancelled for selling substandard and spurious drugs. He was also required by the notice to produce his licence before Respondent No. 2.

4. That on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ the Petitioner submitted his explanation to the show-cause notice submitting that he did not sell any substandard or spurious drugs and that he sold only drugs in their original containers obtained from reputed drug manufacturers. He expressed his inability to produce the licence as the same had been submitted to the Civil Surgeon for renewal.

5. That without giving proper consideration to the pleas raised by the Petitioner Respondent No. 2 passed an order dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ cancelling the Petitioner’s licence.

6. That, thereupon, the petitioner preferred an appeal against the order of Respondent No. 2 to Respondent No. 3.

7. That by order dated \_\_\_\_\_\_\_\_\_\_\_\_ Respondent No. 3 dismissed the appeal.

8. That the Petitioner has no other remedy but to approach this Hon’ble Court.

9. That the orders of Respondents No. 2 and No. 3 are void and illegal for the following amongst other—

REASONS

(i) Because the orders of respondents Nos. 2 and 3 are vitiated as they have acted in violation of the principles of natural justice.

(ii) Because both respondents Nos. 2 and 3 have placed great reliance on the report of the Central Drugs Laboratory dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ which report was never disclosed to the Petitioner and which the Petitioner was not given any opportunity to meet.

(iii) Because the authorities have been influenced by the failure of the Petitioner to produce the licence but have themselves failed to consider the Petitioner’s explanation that the licence had been submitted to the Civil Surgeon for renewal.

(iv) Because respondents Nos. 2 and 3 have not applied their minds to the facts and circumstances of the case.

(v) Because the impugned orders violate the fundamental right of the Petitioner to carry on his trade and business guaranteed by Article 19(1)(g) of the Constitution.

It is, therefore, most respectfully prayed that a writ, direction or order in the nature of certiorari be issued quashing the order of Respondent No. 2 dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and the order of Respondent No. 3 dated\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Petitioner.)

Dated\_\_\_\_\_\_\_\_\_