

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P.No.D-5474 of 2023

Asim Rasheed.....V.....Federation of Pakistan & others.

Date	Order with Signature of Judge
------	-------------------------------

Before:-

MR. JUSTICE AQEEL AHMED ABBASI

MR. JUSTICE ABDUL MOBEEN LAKHO

30.11.2023.

Mr.Ashfaq Ahmed Shah Bukhari, Advocate for the Petitioner.

Mr.Khaleeq Ahmed, D.A.G.

Mr.Saifullah, A.A.G.

Syed Adnan Rizvi, Secretary, Provincial Quality Control Board, Sindh at Karachi, Health Department, Government of Sindh is present.

Pursuant to Court's notice Syed Adnan Rizvi, Secretary, Provincial Quality Control Board, Sindh at Karachi, Health Department, Government of Sindh has shown appearance and filed comments, which are taken on record. Copy of the same has been supplied to learned counsel for the petitioner.

Learned D.A.G. submits that instant petition is misconceived and not maintainable, as the alternate remedy is available to the petitioner in the instant matter, whereas, show cause notice issued by the respondents, therefore, in case of any adverse order further remedy available to the petitioner is to file appeal before the Appellate Board under Section 9 of the Drugs Act, 1976

Learned counsel for the petitioner when confronted with hereinabove position, submits that the respondents may be directed to treat the petitioner in accordance with law and before passing any adverse order including cancellation of the license of the petitioner. Learned counsel further submits

that the respondents may be directed to provide opportunity of being heard to the petitioner and may not create any harassment.

Learned D.A.G. submits that since the respondents have already issued show cause notice to the petitioner, which reflects that opportunity of being heard will be provided to the petitioner in accordance with law.

Accordingly, instant petition is disposed of along with pending application with the directions to the respondents to provide opportunity of being heard to the petitioner in accordance with law before passing any adverse order including cancellation of the license of the petitioner by citing specific provision and the violation if any in case of any adverse order is passed. The petitioner is at liberty to avail further remedy available to the petitioner in accordance with law.

Acting Chief Justice

Judge

nasir