IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Civil Writ Petition No.16356 of 2026
Date of Decision: 18.09.2026

M/s Primus Pharmaceuticals **.....Petitioner**

Versus

State of H.P. and Another **.....Respondents**

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge
Hon'ble Mr. Justice Yogesh Jaswal, Judge

Whether approved for reporting?

For the Petitioner: Mr. Rajiv Agnihotri and Mr. Janesh Gupta, Advocates.

For the Respondents: Mr. Pushpinder Singh Jaswal, Additional Advocate General.

Ajay Mohan Goel, J. *(Oral)*

CMP No.24343 of 2026

For the reasons stated in the application, same is allowed and delay in re-filing the petition after removing the objections is condoned. Application is disposed of.

CWP No.16356 of 2026

2. Notice. Mr. Pushpinder Singh Jaswal, learned Additional Advocate General, accepts notice on behalf of respondents No.1 and 2/State.

3. By way of this writ petition, the petitioner has prayed for the following reliefs:

> "i) Issue a writ of certiorari quashing of Order dated 27.03.2026 and summary of order in form DRC-07 dated 27.03.2026 (Annexure P-9).

High Court of H.P.

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ii) That the SCN dated 09.05.2024 was never served and therefore adjudication is void."

4. Having heard learned counsel for the petitioner and having perused the prayer clause as also the impugned order, we are of the considered view that as there is a statutory remedy available to the petitioner against the order impugned, it would be in the interest of justice in case the petitioner exhausts the statutory remedies, rather than directly invoking the jurisdiction of this Court under Article 226 of the Constitution of India.

5. Accordingly, without making any observation on the merits of the issue or the correctness of the order under challenge, we dispose of this petition with the observation that in case the petitioner herein approaches the appellate authority within a period of 30 days from today, then the appeal shall be deemed to be within limitation and it shall be adjudicated on merits in accordance with law.

Pending application(s), if any, shall also stand disposed of.

(Ajay Mohan Goel),
Judge

(Yogesh Jaswal),
Judge

September 18, 2026
Rajeev Raturi

High Court of H.P.

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