

\$~38, 42, 45, 47, 48 & 52

* IN THE HIGH COURT OF DELHI AT NEW DELHI

38+ W.P.(C) 2410/2016

KHANDELWAL LABORATORIES PVT LTD.

Versus

..... Petitioner

UNION OF INDIA

..... Respondent

42+ W.P.(C) 2419/2016

MANKIND PHARMA LIMITED & ORS

Versus

..... Petitioners

UNION OF INDIA & ANR

..... Respondents

45+ W.P.(C) 2427/2016

UNICHEM LABORATORIES LIMITED & ANR

Versus

..... Petitioners

UNION OF INDIA & ANR

..... Respondents

47+ W.P.(C) 2429/2016

SHREYA LIFE SCIENCES PVT. LTD.

Versus

..... Petitioner

UNION OF INDIA & ANR

..... Respondents

48+ W.P.(C) 2430/2016

LUPIN LIMITED & ANR

..... Petitioners

Versus

UNION OF INDIA & ANR

..... Respondents

52+ W.P.(C) 2434/2016

LUPIN LIMITED & ANR

..... Petitioners

Versus

UNION OF INDIA & ANR

..... Respondents

Manju Khanna
21/3/16
Admin. Officer
High Court of Delhi
New Delhi

Counsel for the petitioners:

Mr. Sachin Gupta and Mr. Rohit Gupta, Advts.
Mr. R. Jawahar Lal, Mr. Siddharth Bawa and Mr. Shyamal Anand, Advts.
Mr. Ajay Bhargava, Mr. Aseem Chaturvedi, Mr. Arvind Kumar Ray and Mr. Vipul Joshi, Advts.
Mr. Sudarshan Rajan, Mr. Hitesh Kumar Saini and Mr. Ankit Mishra, Advts.

Counsel for the respondents:

Mr. Sanjeev Narula, Adv.
Mr. Amit Mahajan and Mr. Nitya Sharma, Advts.
Mr. Ripu Daman Bhardwaj, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER


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18.03.2016

CM No.10309/2016 in W.P.(C) 2410/2016, CM No.10357/2016 in W.P.(C) No.2419/2016, CM No.10411/2016 in W.P.(C) No.2427/2016, CMs No.10413/2016 & 10414/2016 in W.P.(C) No.2429/2016, CM No.10416/2016 in W.P.(C) No.2430/2016 & CM No.10421/2016 in W.P.(C) No.2434/2016 (all for exemption)

1. Allowed, subject to just exceptions.
2. The applications are disposed of.

W.P.(C) 2410/2016 & CM No.10308/2016 (for stay), W.P.(C) 2419/2016 & CM No.10358/2016 (for stay), W.P.(C) 2427/2016 & CM No.10410/2016 (for stay), W.P.(C) 2429/2016 & CM No.10412/2016 (for stay), W.P.(C) 2430/2016 & CM No.10415/2016 (for stay) & W.P.(C) 2434/2016 & CM No.10420/2016 (for stay)

3. The petitioners in all these cases hold licences from the State Authority. The petitioners in W.P.(C) No.2427/2016 are not manufacturers but distributors. The petitioner in W.P.(C) No.2430/2016 also is distributor


Manju Khanna
Admin. Officer
High Court of Delhi
New Delhi

except for one of the drugs.

4. It is also the contention of the counsel for the respondents that the petitioner in W.P.(C) No.2429/2016 had applied for a licence from the Central Authority but has not been granted the same till now.

5. Issue notice.

6. Notice is accepted by the counsel for the respondents.

7. List on 21st March, 2016.


8. Till then, the effect of the Notification/s impugned in these petitions qua the petitioners shall remain stayed and no coercive steps be taken in pursuance thereto against the petitioners and its stockists, agents, retailers and distributors.

9. However, the aforesaid will not come in the way of the respondents taking action with respect to the drugs subject matter of Notifications on any other ground which may be available in law to the respondents.

Copy of this order be given *dasti* under the signatures of the Court Master.

MARCH 18, 2016
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RAJIV SAHAI ENDLAW, J.


Manju Khanna
Admin. Officer
High Court of Delhi
New Delhi