



\$~44 to 58, 60 to 108, 110 to 113 & 115.

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 8460/2023 & CM APPL. 32240/2023**

SEAGULL LABORATORIES I PVT LTD Petitioner

versus

UNION OF INDIA ANR Respondent

+ **W.P.(C) 8461/2023 & CM APPL. 32242/2023**

GLENMARK PHARMACEUTICALS LIMITED & ANR.

..... Petitioner

versus

UNION OF INDIA & ANR. Respondent

+ **W.P.(C) 8465/2023 & CM APPL. 32253/2023**

GLENMARK PHARMACEUTICALS LIMITED & ANR.

..... Petitioner

versus

UNION OF INDIA & ANR. Respondent

+ **W.P.(C) 8466/2023 & CM APPL. 32255/2023**

GLENMARK PHARMACEUTICALS LIMITED & ANR.

..... Petitioner

versus

UNION OF INDIA & ANR. Respondent

Through:

+ **W.P.(C) 8519/2023 & CM APPL. 32435/2023**

LABORATE PHARMCEUTICALS

..... Petitioner

versus

DRUGS CONTROLLER GENREAL OF INDIA Respondent

+ **W.P.(C) 8557/2023 & CM APPL. 32551/2023**

M/S LABORATORIES GRIFFON PVT. LTD. THROUGH ITS



DIRECTOR MR. NELSON LOPES & ANR. Petitioner

versus

UNION OF INDIA AND ANR. Respondent

+ **W.P.(C) 8559/2023 & CM APPL. 32555/2023**
SHREYA LIFE SCIENCES PVT. LTD. AND ANR..... Petitioner
versus
UNION OF INDIA AND ANR. Respondent

Through:

+ **W.P.(C) 8576/2023 & CM APPL. 32599/2023**
MANKIND PHARMA LIMITED Petitioner
Through:
versus
UNION OF INDIA AND ANR Respondent

Through:

+ **W.P.(C) 8587/2023 & CM APPL. 32627/2023, CM APPL. 32938/2023**
ALKEM LABORATORIES LTD Petitioner
versus
UNION OF INDIA & ANR. Respondent

+ **W.P.(C) 8593/2023 & CM APPL. 32648/2023**
LUPIN LIMITED & ANR. Petitioner
versus
UNION OF INDIA & ANR. Respondent

+ **W.P.(C) 8594/2023 & CM APPL. 32650/2023**
M/S OBSURGE LIMITED Petitioner
versus
UNION OF INDIA & ANR. Respondent

+ **W.P.(C) 8596/2023 & CM APPL. 32653/2023**



DR REDDYS LABORATORIES LTD THROUGH AUTHORIZED
REPRESENTATIVE MR M V NARASIMHAM & ANR.

..... Petitioner

versus

UNION OF INDIA THROUGH THE SECRETARY & ANR.

..... Respondent

+ **W.P.(C) 8598/2023 & CM APPL. 32657/2023**
INTAS PHARMACEUTICALS LIMITED

..... Petitioner

versus

UNION OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 8599/2023 & CM APPL. 32659/2023**
BRUKEM LIFECARE PRIVATE LIMITED

..... Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 8600/2023 & CM APPL. 32661/2023**
INTAS PHARMACEUTICALS LIMITED

..... Petitioner

versus

UNION OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 8603/2023 & CM APPL. 32665/2023**
EDEN HEALTHCARE PRIVATE LIMITED

..... Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 8607/2023 & CM APPL. 32674/2023**
INTAS PHARMACEUTICALS LIMITED

..... Petitioner

versus

UNION OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 8608/2023 & CM APPL. 32676/2023**



ALKEM LABORATORIES LTD Petitioner

versus

UNION OF INDIA & ANR. Respondent

+ **W.P.(C) 8609/2023 & CM APPL. 32678/2023**

ALKEM LABORATORIES LTD Petitioner

versus

UNION OF INDIA & ANR. Respondent

+ **W.P.(C) 8611/2023 & CM APPL. 32681/2023**

WINDLAS BIOTECH LIMITED Petitioner

versus

UNION OF INDIA & ANR. Respondent

+ **W.P.(C) 8618/2023 & CM APPL. 32712/2023, CM APPL. 44196/2023**

ABBOTT HEALTHCARE PRIVATE LIMITED Petitioner

versus

UNION OF INDIA & ANR. Respondent

+ **W.P.(C) 8621/2023 & CM APPL. 32717/2023, CM APPL. 35631/2023, CM APPL. 35632/2023**

LEEFORD HEALTHCARE LIMITED Petitioner

versus

UNION OF INDIA & ANR. Respondent

+ **W.P.(C) 8622/2023 & CM APPL. 32731/2023**

LEEFORD HEALTHCARE LIMITED Petitioner

versus

UNION OF INDIA & ANR. Respondent

+ **W.P.(C) 8660/2023 & CM APPL. 32834/2023, CM APPL. 32835/2023**

CIPLA LIMITED & ANR. Petitioner

versus



DRUGS CONTROLLER GENERAL OF INDIA & ANR.

+ W.P.(C) 8665/2023 & CM APPL. 32844/2023 Respondent
CCI PRODUCTS AND ANR Petitioner

versus

UNION OF INDIA AND ANR Respondent

+ W.P.(C) 8674/2023 & CM APPL. 32856/2023, CM APPL. 32857/2023
J D PHARMA & ANR. Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA & ANR.

+ W.P.(C) 8675/2023 & CM APPL. 32858/2023, CM APPL. 32859/2023 Respondent
VENUS LABS & ANR. Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA & ANR.

+ W.P.(C) 8678/2023 & CM APPL. 32864/2023, CM APPL. 32865/2023 Respondent
SKYMAP PHARMACEUTICALS PVT. LTD. & ANR. Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA & ANR.

+ W.P.(C) 8679/2023 & CM APPL. 32866/2023, CM APPL. 32867/2023 Respondent
KEPLER HEALTHCARE PVT. LTD. Petitioner

versus

UNION OF INDIA & ANR. Respondent

+ W.P.(C) 8680/2023 & CM APPL. 32868/2023, CM APPL. 32869/2023
HORIZON BIOCEUTICALS PVT. LTD. & ANR. Petitioner



- versus
DRUGS CONTROLLER GENERAL OF INDIA & ANR.
..... Respondent
- + **W.P.(C) 8682/2023 & CM APPL. 32872/2023, CM APPL. 32873/2023**
CIPLA LIMITED & ANR. Petitioner
- versus
DRUGS CONTROLLER GENERAL OF INDIA & ANR.
..... Respondent
- + **W.P.(C) 8721/2023 & CM APPL. 32980/2023, CM APPL. 32981/2023**
ALKEM LABORATORIES LTD Petitioner
- versus
UNION OF INDIA & ANR. Respondent
- + **W.P.(C) 8726/2023 & CM APPL. 32988/2023, CM APPL. 32989/2023**
APTUS PHARMA PRIVATE LIMITED & ANR. Petitioner
- versus
DRUGS CONTROLLER GENERAL OF INDIA & ANR.
..... Respondent
- + **W.P.(C) 8727/2023 & CM APPL. 32990/2023, CM APPL. 42954/2023**
JUPITER PHARMACEUTICALS Petitioner
- versus
UNION OF INDIA AND ANOTHER Respondent
- + **W.P.(C) 8728/2023 & CM APPL. 32991/2023, CM APPL. 32992/2023**
SKYMAP PHARMACEUTICALS PVT. LTD. & ANR..... Petitioner
- versus
DRUGS CONTROLLER GENERAL OF INDIA & ANR.
..... Respondent
- + **W.P.(C) 8730/2023 & CM APPL. 32993/2023, CM APPL.**



32994/2023

CIPLA LIMITED & ANR.

..... Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 8731/2023 & CM APPL. 32995/2023, CM APPL. 32996/2023**

CIPLA LIMITED & ANR.

..... Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 8732/2023 & CM APPL. 32997/2023, CM APPL. 32998/2023**

OZONE PHARMACEUTICALS LIMITED & ANR..... Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 8747/2023 & CM APPL. 33020/2023, CM APPL. 33021/2023**

SKYMAP PHARMACEUTICALS PVT. LTD. & ANR.

..... Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 8751/2023 & CM APPL. 33030/2023, CM APPL. 33031/2023**

WINGS PHARMACEUTICALS PVT. LTD

..... Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA AND ANR.

..... Respondent

+ **W.P.(C) 8752/2023 & CM APPL. 33032/2023, CM APPL. 33033/2023**



WINGS PHARMACEUTICALS PVT. LTD Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA AND ANR.

..... Respondent

+ **W.P.(C) 8812/2023 & CM APPL. 33329/2023, CM APPL. 33330/2023**

KARNANI PHARMACEUTICALS PVT LTD Petitioner

versus

UNION OF INDIA AND ANR.

..... Respondent

+ **W.P.(C) 8904/2023 & CM APPL. 33670/2023, CM APPL. 33671/2023**

VINAYAK REMEDIES LIMITED Petitioner

versus

UNION OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 8914/2023 & CM APPL. 33740/2023, CM APPL. 33741/2023**

DWD PHARMACEUTICALS LIMITED & ANR. Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA, & ANR.

..... Respondent

+ **W.P.(C) 8993/2023 & CM APPL. 34092/2023, CM APPL. 34093/2023**

INDIAN FEDERATION OF PHARMA GENERICS..... Petitioner

versus

UNION OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 9025/2023 & CM APPL. 34369/2023, CM APPL. 34370/2023**

AMERICAN VITAMINS INDIA PVT LTD Petitioner



- versus
DRUGS CONTROLLER GENERAL OF INDIA AND ANR.
..... Respondent
- + **W.P.(C) 9033/2023 & CM APPL. 34384/2023, CM APPL. 34385/2023**
ASTRA LABS & ANR. Petitioner
- versus
DRUGS CONTROLLER GENERAL OF INDIA & ANR.
..... Respondent
- + **W.P.(C) 9035/2023 & CM APPL. 34388/2023, CM APPL. 34389/2023**
ACRON PHARMACEUTICALS & ANR. Petitioner
- versus
DRUGS CONTROLLER GENERAL OF INDIA & ANR.
..... Respondent
- + **W.P.(C) 9085/2023 & CM APPL. 34572/2023, CM APPL. 34573/2023**
SMILAX HEALTHCARE PVT LTD Petitioner
- versus
UNION OF INDIA & ANR. Respondent
- + **W.P.(C) 9121/2023 & CM APPL. 34703/2023, CM APPL. 34704/2023**
BIOGENETIC DRUGS PVT LTD Petitioner
- versus
UNION OF INDIA & ANR. Respondent
- + **W.P.(C) 9165/2023 & CM APPL. 34832/2023, CM APPL. 34833/2023**
ACRON PHARMACEUTICALS & ANR. Petitioner
- versus
DRUGS CONTROLLER GENERAL OF INDIA & ANR.



- Respondent
- + **W.P.(C) 9281/2023 & CM APPL. 35358/2023, CM APPL. 35359/2023**
PHARMAFABRIKON THROUGH ITS PARTNER Petitioner
- versus
- UNION OF INDIA & ANR. Respondent
- + **W.P.(C) 9367/2023 & CM APPL. 35653/2023, CM APPL. 35654/2023**
LEEFORD HEALTHCARE LIMITED Petitioner
- versus
- UNION OF INDIA & ANR. Respondent
- + **W.P.(C) 9369/2023 & CM APPL. 35668/2023, CM APPL. 35669/2023**
INTAS PHARMACEUTICALS LIMITED Petitioner
- versus
- UNION OF INDIA & ANR. Respondent
- + **W.P.(C) 9373/2023 & CM APPL. 35677/2023, CM APPL. 35678/2023**
PRO LABORATORIES PVT. LTD. Petitioner
- versus
- UNION OF INDIA & ANR. Respondent
- + **W.P.(C) 9391/2023 & CM APPL. 35809/2023, CM APPL. 35810/2023**
EXCEL LABS & ANR. Petitioner
- versus
- DRUGS CONTROLLER GENERAL OF INDIA & ANR.
..... Respondent
- + **W.P.(C) 9415/2023 & CM APPL. 35901/2023, CM APPL. 35902/2023**
ORGYN LABORATORIES PVT. LTD. Petitioner
- versus



DRUGS CONTROLLER GENERAL OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 9433/2023 & CM APPL. 36015/2023, CM APPL. 36016/2023**

AELIX PHARMA & ANR.

..... Petitioner

versus

DRUGS CONTROLLER GENERAL OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 9546/2023 & CM APPL. 36516/2023, CM APPL. 36517/2023**

BIOGENETIC DRUGS PVT LTD

..... Petitioner

versus

UNION OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 9555/2023 & CM APPL. 36574/2023, CM APPL. 36575/2023**

SMILAX HEALTHCARE DRUG CO

..... Petitioner

versus

UNION OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 9563/2023 & CM APPL. 36601/2023, CM APPL. 36602/2023**

SMILAX HEALTHCARE DRUG CO

..... Petitioner

versus

UNION OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 9711/2023 & CM APPL. 37210/2023, CM APPL. 37211/2023**

AVANS HEALTHWAYS & ANR.

..... Petitioner

versus

UNION OF INDIA & ANR.

..... Respondent

+ **W.P.(C) 10107/2023 & CM APPL. 39026/2023, CM APPL. 39027/2023**



- REPLIN LLP Petitioner
- versus
- UNION OF INDIA & ANR. Respondent
- + **W.P.(C) 10136/2023 & CM APPL. 39220/2023, CM APPL. 39221/2023**
- LEDERDAY PHARMA Petitioner
- versus
- UNION OF INDIA & ANR. Respondent
- + **W.P.(C) 10466/2023 & CM APPL. 40575/2023, CM APPL. 40576/2023**
- NAVNIDHI LIFESCIENCES PRIVATE LIMITED & ANR. Petitioner
- versus
- DRUGS CONTROLLER GENERAL OF INDIA & ANR. Respondent
- + **W.P.(C) 10558/2023 & CM APPL. 41014/2023, CM APPL. 41015/2023**
- SOLITAIRE PHARMACIA PVT. LTD. & ANR. Petitioner
- versus
- DRUGS CONTROLLER GENERAL OF INDIA & ANR. Respondent
- + **W.P.(C) 10973/2023 & CM APPL. 42533/2023, CM APPL. 42534/2023**
- CSC PHARMACEUTICALS PVT LTD Petitioner
- versus
- UNION OF INDIA & ANR. Respondent
- + **W.P.(C) 11032/2023 & CM APPL. 42796/2023, CM APPL. 42797/2023**
- BADRIVAS BIOTECH PVT LTD Petitioner
- versus
- UNION OF INDIA Respondent



+ **W.P.(C) 11228/2023 & CM APPL. 43714/2023, CM APPL. 43715/2023**

DANISH HEALTHCARE PRIVATE LIMITED Petitioner

versus

UNION OF INDIA & ANR.

..... Respondent

For the Petitioners

Mr. Himanshu Satija and Mr. Harsh Saxena, Advocates in item No.50.

Mr. Siddharth Bambha and Mr. Abhirath Prasara, Advocates in item No.85 & 90.

Mr. Shrey Chathly, Advocate in item No. 101.

Mr. Sagar Chandra, Mr. Shubhit Wahi and Ms. Ankita Seth, Advocates in item No. 52, 62, 63 and 76.

Ms. Richa Kapoor, Mr. Kunal Anand, Mr. Sandesh Kumar, Mr. Amresh Bind and Ms. Shisham Pradhan, Advocates in item No. 44.

Mr. M. Yogesh Kanna, Mr. Prabhu Ramasubramonion, Mr. Raghudatra Sethupatry, Mr. S. Sabari Bala Pandion and Mr. Vasa Kalra, Advocates in item No. 96.

Mr. Darpan Wadhwa, Sr. Advocate with Mr. Ajay Bhargava, Mr. Aseem Chaturvedi and Mr. Milind Jain, Advocates in item No. 46.

Mr. Ajay Bhargava, Mr. Aseem Chaturvedi and Mr. Milind Jain, Advocates in item No. 45, 47, 53, 56, 58, 61, 65 and 98.

Mr. Vaibhav Tomar, Advocate in item No. 49.

Mr. Rupin Bahl, Mr. Karan Bajaj and Ms. Pooja Bhardwaj, Advocates in item No. 88.

Ms. Archana Sahadeva and Mr. Siddharth Raj Choudhary, Advocates in item No. 68, 75, 80 & 81.

Mr. Sanjay Kumar Jain, Ms. Archana Sahadeva and Mr. Siddharth Raj Choudhary, Advocates in item No. 70, 71, 72, 74, 77, 79, 82, 83, 91, 92, 95, 100, 102, 110 and 111.

Mr. Deepak Kumar Mahapatra, Mr. Rahul Kumar and Ms. Shruthi in item no. 113.

Ms. Neelima Tripathi, Sr. Advocate with Mr. Apoorv P. Tripali and Ms. Anjali Kaushik, Advocates in item No. 55.

Mr. Udit Chauhan and Mr. Khalid Ali, Advocates in item No. 54, 66, 67 & 97.

Mr. Amer Vaid, Ms. Yashodhara Gupta and Mr. Vinayak Thakur,



Advocates in item No. 7.

Ms. Suman Gupta, Advocate in item No. 86.

Mr. Manu Bansal and Mr. Rohan Chaudhary, Advocates in item No. 107 & 108.

Ms. Elisha Sinha, Mr. Prakhar Singh, Mr. Saurabh Kumar & Ms. Mokshita Gautam, Advocates in item no. 57 to 60.

Mr. Aniket Gautam, Mr. Siddharth Kurich and Mr. Rohan Choudhary, Advocates in item No. 50.

Mr. Gaurav Mishra, Advocate in item No. 115.

For the Respondents

Ms. Shiva Lakshmi, CGSC with Mr. Vishal Singh and Ms. Divyanshi Anand, Advs in item No.96.

Mr. Rakesh Kumar, CGSC with Ms. Avshreya Pratap Singh Rudy, Adv, Mr. Vedansh Anand (GP) and Mr. Sunil, Advocate in item No. 44, 45, 46, 47, 49, 50, 54, 55, 56, 58, 64, 65, 66, 67, 68, 71, 75, 80, 81, 97, 98 and 107.

Mr. Kirtiman Singh, CGSC with Ms. Avshreya Pratap Singh Rudy and Ms. Vidhi Jain, Advocates in item no. 87, 101 and 112.

Mr. Rakesh Kumar, CGSC with Sunil, Advocate, Mr. Vedansh Anand (GP) and Mr. Rahul Kumar Sharma (GP) in item no. 122, 44 to 56, 58, 59, 61, 64 to 68, 71, 75, 80, 81, 89, 90, 107, 110 and 113.

Mr. Deepak Tanwar, GP with Mr. Sagan Shresht and Mr. Hitesh Batra for respondent no.1/UoI in item No. 91.

Ms. Shiva Lakshmi, CGSC with Ms. Divyanshi Anand and Mr. Vishal Singh, Advocates in item No. 96.

Mr. Vineet Dhanda, Sr. Panel with Mr. Jitendra Kumar Tripathi (GP) and Ms. Gurleen Kaur, advocate in item No. 108.

Mr. Apoorv Kurup, Ms. Apoorva Jha and Mr. Suiuanish Dwivedi, Advocates in item No. 111.

Mr. Tarveen Singh Nanda (GP) in item No. 46, 68, 70, 73, 74, 86, 91, 92 & 95.

Ms. Arunima Dwivedi, Ms. Pinky Pawar and Mr. Aakash Pathak, Advocates in item No. 52, 62, 63 and 76.

Mr. Vedansh Anand, Central Govt. Pleader in item No. 44, 49, 54, 66 and 67.

Mr. Rakesh Kumar, CGSC with Mr. Siddhant Gupta (GP) in item No. 113.

Mr. Rakesh Kumar, CGSC with Mr. Vedansh Anand (CGP) in item No. 44, 49, 54, 66, 67 & 113.



Mr. Anurag Ahluwalia, CGSC for R-1 &2 in item No.91, 93 and 95.
Mr. Rakesh Kumar, CGSC with Mr. Sunil and Mr. Rahul Kumar Sharma, Advocates in item No. 48.
Mr. Vineet Dhanda, CGSC and Mr. Jitendra Kumar Tripathi for UOI in item No. 57, 60, 69, 72, 77, 78, 79, 82, 83, 93, 100 & 108.
Mr. Kirtiman Singh, CGSC with Mr. Rishi Kant Singh, Ms. Vidhi Jain and Mr. Varun, Advocates for UOI in item No. 44-115.
Mr. Vineet Dhanda, Advocate and Mr. Ravindra Vikram (GP) in item No. 100.
Mr. Arnav and Mr. Ravindra Vikram, Advocates in item no. 109.
Mr. Arun Birbal, Advocate for DDA in item No. 124.
Ms. Manisha Agarwal Narain, CGSC with Ms. Shivangi Gumber, Advocate in item No. 115.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
28.08.2023

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1. Mr. Kirtiman Singh, Learned Counsel appearing on behalf of the Union of India has informed this Court that in some of the connected matters herein, reply has not been filed. He is granted a week's time from today to file reply in all such cases.
2. Mr. Kirtiman Singh has further stated that in all the remaining identical cases, he will be adopting the reply previously filed. He also undertakes to serve a copy of the same to all the Petitioners.
3. Learned Counsel for the Petitioners are also permitted to collect a copy of the reply from Mr. Kirtiman Singh.
4. Let rejoinder thereto, if any, be filed by the Petitioners before the next date of hearing.
5. Mr. Kirtiman Singh has prayed before this Court that the matters



arising out of Notification S.O. 2398(E) be taken up first. This prayer is not opposed by the other side. Accordingly, it is made clear that, when hearing commences in the present matters, matters arising out of Notification S.O. 2398 (E) will be taken up first.

6. List on 22.09.2023.
7. Interim orders to continue.

SATISH CHANDRA SHARMA, CJ

SANJEEV NARULA, J

AUGUST 28, 2023/aks