



\$~13

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

+ **CS(COMM) 307/2022 & I.A. 108/2023**

**NOVARTIS AG & ANR. .... Plaintiffs**

Through: Ms. Mamta Rani Jha, Mr.  
Siddhant Sharma, Ms. Garima Mehta and  
Mr. Abhay Tandon, Advs.

versus

**MSN LABORATORIES PRIVATE LIMITED .... Defendant**

Through: None

**CORAM:**

**HON'BLE MR. JUSTICE C. HARI SHANKAR**

**ORDER**

% **05.01.2023**

**I.A. 108/2023 in CS(COMM) 307/2022**

1. This application seeks restoration of IA 7325/2022 as, after the passing of the order dated 25<sup>th</sup> May 2022, the defendant has obtained a manufacturing licence in respect of the product "RIBOCICLIB", which forms subject matter of proceedings in the present case.

2. Issue notice on this application, returnable on 16<sup>th</sup> January 2023.

3. On the said date, IA 7325/2022 shall also be taken up for hearing.

4. Notice be served on the respondent through Ms. Rajeshwari H, learned Counsel who appears on its behalf.

5. Ms. Mamta Rani Jha, learned Counsel for the plaintiff, submits



that, in similar matters which were filed on 26<sup>th</sup> May 2022, where the manufacturing licence had been obtained by the defendant, the court had injuncted the defendants from launching the product. She refers, *inter alia*, to orders dated 26<sup>th</sup> May 2022 passed in CS (Comm) 305/2022 (*Novartis v. MSN Laboratories*), CS(Comm) 306/2022 (*Novartis v. Centurion Remedies*) and CS(Comm) 308/2022 (*Novartis v. Centurion Remedies*).

6. Re-notify of 16<sup>th</sup> January 2023.

**C.HARI SHANKAR, J**

**JANUARY 5, 2023**

*dsn*