



\$~54 to 183, 185 to 197 and 199 to 367

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

+ W.P.(C) 9837/2018 and CM. APPLs. 38304/2018, 42191/2018

ALKEM LABORATORIES LTD.

..... Petitioner

Versus

UNION OF INDIA AND ANR.

..... Respondents

with

W.P.(C) 9850/2018, W.P.(C) 9857/2018, W.P.(C) 9859/2018, W.P.(C) 9885/2018, W.P.(C) 9929/2018, W.P.(C) 9994/2018, W.P.(C) 10037/2018, W.P.(C) 10038/2018, W.P.(C) 10040/2018, W.P.(C) 10045/2018, W.P.(C) 10048/2018, W.P.(C) 10049/2018, W.P.(C) 10053/2018, W.P.(C) 10102/2018, W.P.(C) 10104/2018, W.P.(C) 10105/2018, W.P.(C) 10125/2018, W.P.(C) 10130/2018, W.P.(C) 10131/2018, W.P.(C) 10176/2018, W.P.(C) 10211/2018, W.P.(C) 10223/2018, W.P.(C) 10224/2018, W.P.(C) 10228/2018, W.P.(C) 10243/2018, W.P.(C) 10254/2018, W.P.(C) 10259/2018, W.P.(C) 10310/2018, W.P.(C) 10318/2018, W.P.(C) 10356/2018, W.P.(C) 10366/2018, W.P.(C) 10419/2018, W.P.(C) 10423/2018, W.P.(C) 10434/2018, W.P.(C) 10443/2018, W.P.(C) 10444/2018, W.P.(C) 10461/2018, W.P.(C) 10480/2018, W.P.(C) 10481/2018, W.P.(C) 10482/2018, W.P.(C) 10484/2018, W.P.(C) 10489/2018, W.P.(C) 10490/2018, W.P.(C) 10491/2018, W.P.(C) 10496/2018, W.P.(C) 10497/2018, W.P.(C) 10501/2018, W.P.(C) 10507/2018, W.P.(C) 10509/2018, W.P.(C) 10512/2018, W.P.(C) 10516/2018, W.P.(C) 10517/2018, W.P.(C) 10519/2018, W.P.(C) 10520/2018, W.P.(C) 10521/2018, W.P.(C) 10533/2018, W.P.(C) 10581/2018, W.P.(C) 10584/2018, W.P.(C) 10681/2018, W.P.(C) 10682/2018, W.P.(C) 10687/2018, W.P.(C) 10692/2018, W.P.(C) 10697/2018, W.P.(C) 10710/2018, W.P.(C) 10713/2018, W.P.(C) 10714/2018, W.P.(C) 10716/2018, W.P.(C) 10719/2018, W.P.(C) 10721/2018, W.P.(C) 10723/2018, W.P.(C) 10730/2018, W.P.(C) 10736/2018, W.P.(C) 10737/2018, W.P.(C) 10738/2018, W.P.(C) 10739/2018, W.P.(C) 10741/2018, W.P.(C) 10744/2018, W.P.(C) 10745/2018, W.P.(C) 10752/2018, W.P.(C)



10761/2018,	W.P.(C)	10784/2018,	W.P.(C)	10786/2018,	W.P.(C)
10790/2018,	W.P.(C)	10801/2018,	W.P.(C)	10805/2018,	W.P.(C)
10806/2018,	W.P.(C)	10812/2018,	W.P.(C)	10815/2018,	W.P.(C)
10816/2018,	W.P.(C)	10817/2018,	W.P.(C)	10818/2018,	W.P.(C)
10820/2018,	W.P.(C)	10822/2018,	W.P.(C)	10824/2018,	W.P.(C)
10827/2018,	W.P.(C)	10828/2018,	W.P.(C)	10831/2018,	W.P.(C)
10833/2018,	W.P.(C)	10835/2018,	W.P.(C)	10836/2018,	W.P.(C)
10885/2018,	W.P.(C)	10888/2018,	W.P.(C)	10894/2018,	W.P.(C)
10909/2018,	W.P.(C)	10915/2018,	W.P.(C)	10934/2018,	W.P.(C)
10942/2018,	W.P.(C)	10950/2018,	W.P.(C)	10951/2018,	W.P.(C)
10952/2018,	W.P.(C)	10955/2018,	W.P.(C)	10957/2018,	W.P.(C)
10960/2018,	W.P.(C)	10967/2018,	W.P.(C)	10969/2018,	W.P.(C)
10970/2018,	W.P.(C)	10971/2018,	W.P.(C)	10972/2018,	W.P.(C)
10974/2018,	W.P.(C)	10975/2018,	W.P.(C)	10976/2018,	W.P.(C)
10977/2018,	W.P.(C)	10978/2018,	W.P.(C)	10979/2018,	W.P.(C)
11007/2018,	W.P.(C)	11008/2018,	W.P.(C)	11013/2018,	W.P.(C)
11021/2018,	W.P.(C)	11026/2018,	W.P.(C)	11044/2018,	W.P.(C)
11056/2018,	W.P.(C)	11058/2018,	W.P.(C)	11059/2018,	W.P.(C)
11060/2018,	W.P.(C)	11061/2018,	W.P.(C)	11062/2018,	W.P.(C)
11069/2018,	W.P.(C)	11070/2018,	W.P.(C)	11071/2018,	W.P.(C)
11072/2018,	W.P.(C)	11073/2018,	W.P.(C)	11074/2018,	W.P.(C)
11079/2018,	W.P.(C)	11080/2018,	W.P.(C)	11081/2018,	W.P.(C)
11082/2018,	W.P.(C)	11083/2018,	W.P.(C)	11093/2018,	W.P.(C)
11094/2018,	W.P.(C)	11095/2018,	W.P.(C)	11096/2018,	W.P.(C)
11097/2018,	W.P.(C)	11098/2018,	W.P.(C)	11099/2018,	W.P.(C)
11100/2018,	W.P.(C)	11105/2018,	W.P.(C)	11109/2018,	W.P.(C)
11110/2018,	W.P.(C)	11112/2018,	W.P.(C)	11113/2018,	W.P.(C)
11115/2018,	W.P.(C)	11116/2018,	W.P.(C)	11128/2018,	W.P.(C)
11129/2018,	W.P.(C)	11130/2018,	W.P.(C)	11131/2018,	W.P.(C)
11133/2018,	W.P.(C)	11174/2018,	W.P.(C)	11175/2018,	W.P.(C)
11176/2018,	W.P.(C)	11177/2018,	W.P.(C)	11179/2018,	W.P.(C)
11180/2018,	W.P.(C)	11183/2018,	W.P.(C)	11184/2018,	W.P.(C)
11260/2018,	W.P.(C)	11261/2018,	W.P.(C)	11263/2018,	W.P.(C)
11269/2018,	W.P.(C)	11272/2018,	W.P.(C)	11275/2018,	W.P.(C)
11276/2018,	W.P.(C)	11283/2018,	W.P.(C)	11284/2018,	W.P.(C)
11286/2018,	W.P.(C)	11287/2018,	W.P.(C)	11288/2018,	W.P.(C)
11294/2018,	W.P.(C)	11295/2018,	W.P.(C)	11296/2018,	W.P.(C)
11298/2018,	W.P.(C)	11300/2018,	W.P.(C)	11305/2018,	W.P.(C)



11306/2018,	W.P.(C)	11307/2018,	W.P.(C)	11308/2018,	W.P.(C)
11309/2018,	W.P.(C)	11310/2018,	W.P.(C)	11311/2018,	W.P.(C)
11312/2018,	W.P.(C)	11313/2018,	W.P.(C)	11315/2018,	W.P.(C)
11316/2018,	W.P.(C)	11317/2018,	W.P.(C)	11318/2018,	W.P.(C)
11319/2018,	W.P.(C)	11320/2018,	W.P.(C)	11322/2018,	W.P.(C)
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11339/2018,	W.P.(C)	11340/2018,	W.P.(C)	11341/2018,	W.P.(C)
11342/2018,	W.P.(C)	11343/2018,	W.P.(C)	11345/2018,	W.P.(C)
11347/2018,	W.P.(C)	11351/2018,	W.P.(C)	11355/2018,	W.P.(C)
11356/2018,	W.P.(C)	11357/2018,	W.P.(C)	11358/2018,	W.P.(C)
11359/2018,	W.P.(C)	11368/2018,	W.P.(C)	11370/2018,	W.P.(C)
11371/2018,	W.P.(C)	11372/2018,	W.P.(C)	11373/2018,	W.P.(C)
11374/2018,	W.P.(C)	11377/2018,	W.P.(C)	11380/2018,	W.P.(C)
11381/2018,	W.P.(C)	11383/2018,	W.P.(C)	11387/2018,	W.P.(C)
11390/2018,	W.P.(C)	11391/2018,	W.P.(C)	11400/2018,	W.P.(C)
11402/2018,	W.P.(C)	11403/2018,	W.P.(C)	11483/2018,	W.P.(C)
11508/2018,	W.P.(C)	11868/2018,	W.P.(C)	11868/2018,	W.P.(C)
11510/2018,	W.P.(C)	11514/2018,	W.P.(C)	11522/2018,	W.P.(C)
11523/2018,	W.P.(C)	11524/2018,	W.P.(C)	11525/2018,	W.P.(C)
11526/2018,	W.P.(C)	11527/2018,	W.P.(C)	11536/2018,	W.P.(C)
11555/2018,	W.P.(C)	11561/2018,	W.P.(C)	11574/2018,	W.P.(C)
11576/2018,	W.P.(C)	11580/2018,	W.P.(C)	11587/2018,	W.P.(C)
11600/2018,	W.P.(C)	11601/2018,	W.P.(C)	11602/2018,	W.P.(C)
11611/2018,	W.P.(C)	11614/2018,	W.P.(C)	11624/2018,	W.P.(C)
11666/2018,	W.P.(C)	11691/2018,	W.P.(C)	11701/2018,	W.P.(C)
11730/2018,	W.P.(C)	11784/2018,	W.P.(C)	12105/2018,	W.P.(C)
11787/2018,	W.P.(C)	11813/2018,	W.P.(C)	11833/2018,	W.P.(C)
11842/2018,	W.P.(C)	11869/2018,	W.P.(C)	11894/2018,	W.P.(C)
11951/2018,	W.P.(C)	11958/2018,	W.P.(C)	11970/2018,	W.P.(C)
11993/2018,	W.P.(C)	11999/2018,	W.P.(C)	12006/2018,	W.P.(C)
12147/2018,	W.P.(C)	12150/2018,	W.P.(C)	12154/2018,	W.P.(C)
12157/2018,	W.P.(C)	12158/2018,	W.P.(C)	12174/2018,	W.P.(C)
12182/2018,	W.P.(C)	12187/2018,	W.P.(C)	12191/2018,	W.P.(C)
12193/2018,	W.P.(C)	12215/2018,	W.P.(C)	12480/2018,	W.P.(C)
12537/2018,	W.P.(C)	12565/2018,	W.P.(C)	12573/2018,	W.P.(C)
12574/2018,	W.P.(C)	12912/2018,	W.P.(C)	13072/2018,	W.P.(C)



13084/2018, W.P.(C) 13085/2018, W.P.(C) 13331/2018, W.P.(C)
13469/2018, W.P.(C) 88/2019, W.P.(C) 714/2019.

For petitioners: Ms. Srijata Majumdar, Advocate in Item No.76.
Mr. Binay Kumar and Mr. Aaditya, Advocates Item Nos. 292, 294 and 298.
Mr. Dheeraj Nair, Advocate with Mr. Angad Baxi and Ms. Aishna Jain, Advocates in Item No. 59.
Mr. Udit Chauhan, Advocate in Item Nos. 211 to 218, 75, 91, 105, 107, 110, 118, 121, 129, 141, 290, 301, 209, 287 and 55.
Mr. Siddharth Bawa and Mr. Mohit Sharma Advocates in Item No. 81, 186, 191, 192, 193, 195, 196, 197, 199, 200, 201, 202, 203, 204, 206, 208, 219, 221, 222, 223, 232, 233, 234, 235, 236, 237, 1238, 305, 315, 321, 324, 337, 338, 345, 346, 347, 348, 351, 352, 353 and 355.
Mr. Shivam Singh and Mr. Amartya A. Sharan, Advocates in Item No. 60
Mr. Sagar Chandra, Ms. Sbhuhie Wahi and Ms. Ankita Seth, Advocates in Item No. 54, 58, 61, 62, 63, 65, 66, 69, 70, 71 and 74.
Ms. Manu Bansal Advocate in Item Nos. 331-336.
Mr. Kustabh Singh Advocate in Item Nos. 365, 147, 135 and 140.
Ms. Archana Sahadeva, Advocate in Item Nos. 56, 68, 72, 78, 84, 179, 187, 188, 189, 190, 194, 205, 207, 209, 210, 220, 340, 343, 360, 364 and 366.
Mr. Ajay Bhargava, Mr. Aseem Chaturvedi, Mr. Arvind Kumar Roy and Mr. Karan Gupta, Advocates in Item Nos. 57, 159-162, 224- 231, 286 and 306-307.
Ms. Binisa Mohanty and Mr. Divyank Rana, Advocates in Item No. 369.
Mr. Bitka Sharma, Ms. Vrinda Pathak, and Mr. George Vithayathil Advocates in Item Nos. 134, 138, 358 and 359.
Ms. Richa Kapoor, Mr. Amresh Bind, and Mr. Kunal Anand and Mr. Sandesh Kumar, Advocates in Item No. 67.



Mr. Akshay Verma Advocate in Item No. 76.

For respondents: Mr. Subhash Tanwar, CGSC with Mr. Sandeep Mishra and Mr. Ashish Choudhary, Advocates in Item No.248, 181, 155, 128, 118, 342.
Mr. Ripu Daman Bharadwaj, Advocate (CGSC) (UOI) in Item Nos. 224, 29, 161, 160, 159, 110, 109, 108, 107,105, 103, 227, 102, 101, 229, 230, 286, 291, 300, 346, 348, 351, 352, 353, 354, 355, 75, 78, 83, 85 and 91.
Mr. Rajesh Kumar SPC and Ms. Mishika Pandita Advocates in Item Nos. 135 and 140.
Ms. Anjana Gosai, Ms. Nippun Sharma and Ms. Hetika Vadhera Advocates in Item No. 155 and 156 Mr. Sanjeev Sabharwal Sr. Pandel Counsel for UOI in Item Nos. 248, 262, 240, 270, 260, 250, 311, 320, 326 and 323.
Mr. Vivek goyal, CGSC with Mr. Gokul Sharma Advocates in Item Nos. 111, 148, 164, 241, 242, 244, 249, 254, 263, 278, 285 and 289.
Ms. Monika Arora and Mr. Yash Tyagi, Advocates in Item No. 239, 243, 245, 246, 247 and 252.
Mr. Anurag Ahluwalia, CGSC for R-1 and R-2 in Item Nos. 77, 84, 239, 242, 247, 255, 258, 272, 288 and 367.
Ms. Nidhi Raman, CGSC with Mr. Zubin Singh and Mr. Akash Mishra, Advocates in Item Nos. 340 & 343, 64 - 66, 69 - 71, 69, 70, 71, 340 and 343.
Mr. Asheesh Jain, CGSC, Mr. Gaurav Kumar and Ms. Ankita Kedia advocates for R-1 in Item Nos. 142, 143, 145, 146, 150 for Item Nos. 112 for R-1 and R-2
Mr. Rakesh Kumar, CGSC with Mr. Sunil Advocates in Item Nos. 308, 319, 327, 316, 309, 329, 318, 313, 203, 186, 202, 191, 196 and 195.
Mr. Bhagvan Swarup Shukla, CGSC with Mr. Sarvan Kumar and Mr. Vikrant Advocates in Item No. 182, 287, 292, 294, 295, 298, 303, 304 and 307.
Mr. Kirtiman Singh, CGSC with Mr. Waize Ali Noor, Mr. Yash Upadhayay, Ms. Kunjala Bhardwaj and Mr. Madhav Bajaj Advocates in Item Nos. 54 to 367.
Mr. Vikrant N. Goyal with Ms. Tesu Gupta and Ms.



Aeyushi Garg, Advocates in Item No. 331, 334, 335 and 332.

Mr. Rajesh Kumar, SPC with Ms. Ramneet Kaur, Advocates in Item Nos. 135 and 140

Mr. Prasanta Verma, CGSC with Mr. Harshit Pandey Advocates in Item Nos. 232, 230, 231, 233, 234 and 235.

Mr. Ajay Digpaul, Mr. Kamal Digpaul and Ms. Swati Kwatra, Advocates in Item No. 76, 82, 162, 163, 166, 167, 168, 170, 171, 172, 173, 194, 261, 264, 271, 273, 276, 277, 281, 283, 358, 359, 362, 363, 365 and 366.

Mr. Rana Prashant, Mr. Akshat Choudhary, Advocates in Item No. 369

Mr. Bharthi Raju, SPC Advocate in Item Nos. 154 and 182.

Mr. Vikram Jetley, CGSC along with Ms. Shreya Jetley Advocates for R-1 in Item Nos. 104, 106, 192, 193, 194, 199, 200, 201 and 350.

Mr. Rajesh Gogna, CGSC along with Ms. Priya Singh Advocates for R-1 in Item Nos. 71, 179, 183, 184, 187, 308, 313, and 317.

Mr. Umesh Sharma Advocate for R-1 in Item No. 275.

Mr. Dev. P. Bhardwaj and Ms. Anubha Bhardwaj with Ms. Sachin Singh and Mr. Sarthak Anand Advocates in Item Nos. 115, 116, 119, 120, 125, 130, 132, 361 and 337.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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10.03.2023

1. The present writ petitions are filed to challenge the impugned notification dated 07.09.2018 issued under Section 26A of the Drugs and Cosmetics Act, 1940.
2. The Registry would indicate that writ petitions challenging the constitutional validity of any Act, Statutory Rules, Regulations or



Notifications are to be listed before the Hon'ble Division Bench of this court.

3. In view of the aforesaid, let the Registry verify the aforesaid aspect and to list these petitions before an appropriate bench as may be directed by Hon'ble the Chief Justice.

4. List on 10.04.2023.

5. Interim order(s) to continue till then.

MARCH 10, 2023/p

PURUSHAINDR KUMAR KAURAV, J