

GAHC010029132023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/851/2023

M/S ANAMIKA UDYOG
REPRESENTED BY ITS AUTHORISED SIGNATORY RAJENDRA KUMAR,
HAVING ITS REGISTERED OFFICE AT 61/1, MADHUBAN COLONY,
BAGHPAT ROAD, MEERUT AND ITS FACTORY PREMISES AT 127, MULTAN
NAGAR, MEERUT, UP-250002.

VERSUS

PRINCIPAL SECRETARY GOVT. OF ASSAM AND 24 ORS.
HEALTH AND PW DEPTT. 781006

2:OFFICE OF THE MISSION DIRECTOR
NATIONAL HEALTH MISSION
ASSAM
HAVING ITS OFFICE AT SAIKIA COMMERCIAL COMPLEX
SHRINAGAR PATH
CHRISTIAN BASTI
G. S. ROAD
GUWAHATI-781005

3:OFFICE OF THE MANAGING DIRECTOR
ASSAM MEDICAL SERVICES CORPORATION LIMITED

CENTRAL DRUG WARE HOUSE CAMPUS
PATHARQUARY
NARENGI
GUWAHATI
ASSAM-781026.

4:GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DIRECTORATE GENERAL OF HEALTH SERVICES

CENTRAL DRUGS STANDARD CONTROL ORGANIZATION
O/O THE ASSISTANT DRUGS CONTROLLER (INDIA) SUB-ZONAL OFFICE
REGIONAL DRUGS TESTING LABORATORY CAMPUS
SIX MILE
PANJABARI ROAD
GUWAHATI-781022

5:OFFICE OF THE MISSION DIRECTOR
ASSAM MEDICAL SERVICES CORPORATION LIMITED
CENTRAL DRUG WARE HOUSE CAMPUS
PATHARQUARY
NARENGI
GUWAHATI
ASSAM-781026

6:THE ASSTT. DRUGS CONTROLLER AND LICENSING AUTHORITY
ARUNACHAL PRADESH
PIN-791110

7:THE ASSTT. DRUGS CONTROLLER AND LICENSING AUTHORITY
MEGHALAYA
PIN-793003

8:THE DRUGS CONTROLLER GENERAL (INDIA)
CDSCO
FDA BHAWAN
NEW DELHI-110002

9:THE DRUGS CONTROLLER
MANIPUR
PIN- 795004

10:THE DRUGS CONTROLLER
MIZORAM
PIN-796001

11:THE DRUGS CONTROLLER
NAGALAND
PIN-797001

12:THE STATE DRUGS CONTROLLER
TRIPURA
PIN-799010

13:THE DEPUTY DRUGS CONTROLLER(I)
CDSCO
WEST ZONE

MUMBAI- 400008

14:THE DEPUTY DRUGS CONTROLLER(I)
CDSCO
NORTH ZONE
GHAZIABAD-201002

15:THE DEPUTY DRUGS CONTROLLER(I)
CDSCO
SOUTH ZONE
CHENNAI-600086

16:THE DEPUTY DRUGS CONTROLLER(I)
CDSCO
EAST ZONE
KOLKATA-700020

17:THE DEPUTY DRUGS CONTROLLER(I)
CDSCO
ZONAL OFFICE
HYDERABAD
PIN-500038

18:THE DEPUTY DRUGS CONTROLLER(I)
CDSCO
ZONAL OFFICE
AHMEDABAD
PIN-380016

19:THE DEPUTY DRUGS CONTROLLER(I)
CDSCO
SUB-ZONE OFFICE
BANGALORE
PIN-560001

20:THE DEPUTY DRUGS CONTROLLER(I)
CDSCO
SUB-ZONE OFFICE
BADDI
PIN-173205

21:THE ASSISTANT DRUGS CONTROLLER(I)
CDSCO
SUB-ZONE OFFICE
INDORE
PIN-452001

22:THE ASSISTANT DRUGS CONTROLLER(I)

CDSCO
SUB-ZONE OFFICE
JAMMU
PIN-180001

23:THE ASSISTANT DRUGS CONTROLLER(I)
CDSCO
SUB-ZONE OFFICE
JAMMU
PIN-180001

24:THE ASSISTANT DRUGS CONTROLLER(I)
CDSCO
SUB-ZONE OFFICE
GOA
PIN-403108

25:THE ASSISTANT DRUGS CONTROLLER(I)
CDSCO
SUB-ZONE OFFICE
VARANASI
PIN-22100

Advocate for the Petitioner : Mukesh Sharma

Advocate for the Respondent : SC, HEALTH AND F W

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

22.02.2023

Heard Shri D. Senapati, learned counsel for the petitioner.

It is the case of the petitioner that pursuant to a tender process for supply of surgical consumables, the petitioner was allotted a work on 05.01.2019 for such supply.

It is the case of the petitioner that amongst the items to be supplied is Roll bandage. While the petitioner claims that the quality of the product of the

supply matches with the quality given in the tender document, the same has been rejected by stating that the same does not meet the standards under the Drugs and Cosmetics Rules 1945.

In this connection, a Show Cause Notice has been issued to the petitioner on 13.02.2022 which the petitioner claims to have replied on 19.04.2022. However, no final decision has been taken till now.

Issue notice, returnable by 4 (four) weeks.

Shri B. Gogoi, learned Standing Counsel, Health and Family Welfare Department accepts notice on behalf of the respondent nos. 1, 2, 3 & 5 whereas Shri C.K.S. Baruah, learned C.G.C. accepts notice on behalf of respondent no. 4.

Extra copies of the writ petition be served upon the learned counsel for the respondents by tomorrow, i.e., 23.02.2023. The requirement of issuing notice to the rest of the respondents would be decided on a subsequent date.

List this matter on 29.03.2023 on which date depending upon the instructions an endeavour would be made to dispose of the writ petition. It is however directed that no final decision be taken without taking leave of this Court.

JUDGE

Comparing Assistant