

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 12715/2009**

SUNITA CHANDER Petitioner
Through Mr. Sudhir Nandrajog, Sr. Adv. with
Mr. Mrinal Bharti, Adv.

versus

GOVT OF NCT OF DELHI DRUGS CONTROL
DEPARTMENT NEW DELHI

..... Respondent
Through Mr. N. Wazir and Mr. Shoaib Haider,
Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA

ORDER
% **28.10.2009**

CM No. 13408/2009

Exemption application is allowed, subject to all just exceptions.

W.P.(C) No. 12715/2009

Learned Standing Counsel for the respondent states that he has obtained instructions and the writ petition can be disposed of in terms of the directions issued in W.P. (C) No. 16588/2004 titled ***Anil Kumar versus Government of NCT of Delhi and Another.***

The petitioner has applied for grant of a licence under Drug and Cosmetics Rules 1945 vide application dated 25th August, 2009, but the said application is not being considered by the respondent as the shop in

question for which drug licence has been requested for is located in a residential area. The petitioner claims that in view of Master Plan of Delhi 2021 he is entitled to operate a chemist shop in a residential area and he satisfies the norms and criteria fixed under the Master Plan of Delhi 2021. The respondent will consider and dispose of the application filed by the petitioner for grant of a licence under Drug and Cosmetics Rules, 1945 after taking into consideration the provisions of Master Plan of Delhi 2021. Drugs licence will not be denied to the petitioner in case he satisfies the requirements and criteria mentioned in the Master Plan of Delhi 2021.

It is clarified that this Court has not expressed any opinion whether the petitioner is eligible for grant of drugs licence on merits and satisfies the eligibility requirement. The application of the petitioner will be considered in the order of seniority maintained by the respondents. Liberty is, however, granted to the petitioner to ask for expeditious disposal.

The writ petition is disposed of.

Copy of this order be given dasti to the learned counsel for the parties.

SANJIV KHANNA, J.

OCTOBER 28, 2009

NA