

M/s. Pharmed Limited and Anr.	}	Petitioners
versus		
Union of India and Ors.	}	Respondents

Dr. G. R. Sharma with Mr. D. P. Singh for
the Respondents.

DATED :- FEBRUARY 3, 2016

1) After this matter was argued for sometime and the two complaints of the Petitioners were brought to the notice of Mr. Sharma appearing for the Respondents, on instructions, he makes a statement that the National Pharmaceutical Pricing Authority will hear the Petitioners' and pass a speaking order on or before 7th March, 2016.

2) Once this statement is made by Mr. Sharma and we accepted the same as undertakings given to this Court, both complaints of the Petitioners, namely, demand being raised straight away without any opportunity of hearing and in the absence of a speaking order, are completely redressed.

3) It is clarified by both, Mr. Seervai and Mr. Sharma that both volumes of this Petition, together with all affidavits of the Petitioners, if any, would be considered as material to support the challenge to the demand raised by the Respondents. Nothing in addition to the same would be relied upon and forwarded by the Petitioners. Equally, Respondent No. 2 authority will not be obliged to consider any additional material and other than what is incorporated in the Petition and the Annexures to this Petition/affidavits.

4) We clarify that we have not expressed any opinion on the merits of the controversy.

5) Needless to clarify that the ad-interim order passed by this Court shall continue till the order passed pursuant to the above is duly communicated to the Petitioners and if adverse, the same shall not be acted upon for a period of four weeks thereafter. Needless to clarify that since the matter is going back to the authority, none of the demand notices impugned in this Petition can be enforced.

6) With the aforesaid directions, the Writ Petition is disposed of.

(G.S.PATEL, J.)

(S.C.DHARMADHIKARI, J.)