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

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W.P.(C) 104/2009 &amp; CM APPLs. 1116/2014, 20943/2015

M/S PHOENIX SURGICALS &amp; ORS..... Petitioners

Through Mr. Rakesh Mittal with Mr. Kamlesh  
Anand, Advocates

versus

THE DRUG CONTROLLER OF DELHI &amp; ORS ..... Respondents

Through Mr. Yash S. Vijay, Advocate for  
Mr. Sanjay Ghosh, A SC (Civil) for  
R-1/GNCTD.  
Mr. Vivek Goyal, CGSC for R-2 to 4/  
UOI.**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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**13.01.2016**

Since subsequent to the impugned Notification, another Notification dated 23<sup>rd</sup> December, 2013 has been issued wherein the expression 'sterilize' has been deleted, this Court is of the view that the gravamen of the present petition does not survive.

As in W.P.(C) 9103/2015, the subsequent Notification dated 23<sup>rd</sup> December, 2013 has also been challenged, this Court would consider the entire challenge in the said writ petition. Petitioners in the present writ

petition are given liberty to seek impleadment in the W.P.(C) 9103/2015 and urge any additional argument they wish. If the present petitioners seek impleadment in W.P.(C) 9103/2015, they are also given liberty to file additional documents in the said writ petition.

With the aforesaid liberty, present writ petition and applications are dismissed.

**MANMOHAN, J**

**JANUARY 13, 2016**

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