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

+ W.P.(C) 5698/2016

RECKITT BENCKISER HEALTHCARE (INDIA) PVT. LTD.

..... Petitioner

Through: Mr.P. Chidambaram, Sr. Adv. with
Mr.Chander Lal, Mr.R. Jawahar Lal,
Mr.Amar Gupta , Mr.Siddharth Bawa &
Mr.Shyamal Anand, Advs.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr.Ripu Daman Bhardwaj, CGSC with
Mr.T.P. Singh, Adv. for UOI.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **20.06.2016**

CM No.23554/2016

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 5698/2016 & CM No.23553/2016

The present petition is filed under Article 226 of the Constitution of India seeking a writ of *certiorari* quashing price fixation order being S.O.1687(E) dated 09.05.2016 fixing the ceiling price of Clotrimazole 1% Cream as being illegal and arbitrary as also *ultra vires* of the Drugs (Prices Control) Order 2013.

Learned counsel for respondent enters appearance on advance copy and submits that the present petition is pre-mature for the reason that the review petition filed by the petitioner herein is still pending. He further submits that he has instructions to state that the review petition would be decided within six weeks from today.

Mr.Chidambaram, learned senior counsel for the petitioner submits that

having regard to the stand taken by the respondent, as far as the product of the petitioner is concerned, it would be in the interest of justice that the order dated 09.05.2016 (impugned order) should be kept in abeyance. Mr.Chidambaram further submits that in case the order dated 09.05.2016 is not kept in abeyance, the review petition would be rendered infructuous.

Having regarding to the stand taken by the parties, we dispose of the present petition. The impugned order dated 09.05.2016 qua the petitioner shall be kept in abeyance for seven days after the review petition is decided.

The petition as well as application are disposed of.

G.S.SISTANI, J
(VACATION JUDGE)

P.S.TEJI, J
(VACATION JUDGE)

JUNE 20, 2016
gm