

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2017

CORAM

THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.16128 of 2013

and

M.P.No.1 of 2013

Wockhardt Limited

Represented by its Deputy General Manager,

Mr.M.Selva Ganesh

94B, Abhirampuram

4th Street, Alwarpet,

Chennai - 600 018.

... Petitioner

]Vs.

1. Union of India,

Represented by its Secretary,

Ministry of Health and Family Welfare

FDA Bhawan, Kotla Road,

New Delhi - 110 002.

2. The Drugs Controller General of India

FDC Division, FDA Bhawan,

Kotla Road,

New Delhi - 110 002.

... Respondents

Writ Petition filed under Article 226 of Constitution of India pleaded to issue a Writ of Certiorari or any other appropriate Writ, Order or Direction calling for the records and to quash the Notification dated 23.05.2013 issued by the first respondent in GSR No.332 (E) published in Gazettee of India Extraordinary, Part-II - Section 3 - subsection (i) dated 23.05.2013 suspending the manufacture for sale, sale and distribution of the drugs Dextypropoxyphene and formulations containing Dextypropoxyphene for human use so far as the petitioner is concerned.

For Petitioner : Mr.K.Balamurali for
M/s.Shivakumar and Suresh

For Respondents : Mr.K.Gunasekar (SPCCG)

O R D E R

Today, when the matter is taken up for hearing, the learned counsel for the petitioner has filed a memo dated 01.06.2017 which reads as under:

"1. The petitioner has filed the above writ petition challenging the Notification No.G.S.R.332(E) dated 23.05.2013 issued by the Ministry of Health and Family Welfare, Government of India and the above writ petition is still pending. Meanwhile, the first respondent namely Government of India in the Ministry of Health and Family Welfare has issued a fresh Notification No.G.S.R.367 (E) dated 13.04.2017 rescinding/withdrawing the impugned notification dated 23.05.2013 with immediate effect subject to certain conditions mentioned therein. Copy of the new Notification dated 13.04.2017 is filed herewith.

2. In view of the subsequent development of withdrawing the impugned notification dated 23.05.2013 by the Government of India, the petitioner may be permitted to withdraw the above writ petition and the same may be dismissed as withdrawn."

2. In view of the subsequent development, the learned counsel for the petitioner seeks permission of this Court to withdraw this Writ Petition.

3. In view of the same, this writ petition is dismissed as withdrawn. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vv/arr

To

1. The Secretary,
Union of India,
Ministry of Health and Family Welfare
FDA Bhawan, Kotla Road,
New Delhi - 110 002.

2. The Drugs Controller General of India
FDC Division, FDA Bhawan,
Kotla Road,
New Delhi - 110 002.

+1cc to Mr.K.Gunasekar, Advocate, S.R.No.42938

W.P.No.16128 of 2013
and
M.P.No.1 of 2013

VG II(CO)
CA(27/06/2017)



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