

THE HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL No.940 of 2018

JUDGMENT: (Per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)

We have heard the learned counsel for the appellant, who challenges the interlocutory order issued during the course of the Writ Petition instituted by the appellant.

2. The appellant is manufacturer of the pharmaceutical products. A particular drug, which it supplied, has been classified by the State Government authorities as to be substandard quality. Accordingly, consequential action has been taken. This is impeached in the Writ Petition. Learned single Judge, while refusing to interfere with the decision not to purchase the said drug and also with the decision of blacklisting, directed the first respondent to send the samples of the drug to the Central Drug Laboratory, Calcutta, whose report would be conclusive.

3. Under the aforementioned fact situation, we do not find that there is an error of jurisdiction or illegality committed by the learned single Judge in issuing the interlocutory order in the manner in which it is. We, therefore, do not find any ground to interfere through this Letters Patent Appeal.

In the result, the Writ Appeal is dismissed. The miscellaneous petitions pending in this Writ Appeal, if any, shall stand closed. There shall be no order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

RAMESH RANGANATHAN, J

13.07.2018
vs/pln

