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

+ **W.P.(C) 4715/2016**

TROIKAA PHARMACEUTICALS LTD.

& ANR

..... Petitioners

Through Mr Mihir Thakore, Senior Advocate with
Mr Rishi Agrawala, Mr Anuj Malhotra, Mr Amrita
Thakorre, Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through Mr Amit Mahajan, CGSC/UOI with
Mr Rishikant Singh, Ms Mallika, Advocates for
Respondent No. 1 to Respondent No.5.

Mr Rajiv Bansal, Senior Advocate with
Mr Nilava Bandhopadhyay, Advocate for
Respondent No. 8.

Mr manoj K. Singh, Mr Rajdutt S. Singh,
Advocate for R9.

Mr Anurag Ahluwalia, CGSC for UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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03.07.2018

1. At the outset, the learned counsel appearing for the petitioners seeks to withdraw the present petition in view of the counter affidavit filed on behalf of respondent nos. 1 to 5 enclosing therewith the minutes of the meeting of the Expert Committee dated 20.12.2017, wherein the Expert Committee had decided as under:-

“Transcutol-P as an excipient in parenteral formulation needs to be tested for its toxicity independently in order to establish its safety, since it is reportedly not an inert excipient. No evidence has been presented before the Committee that it can be used in parenteral formulations even including India Pharmacopoeia, especially on parenteral preparation for human use.”

2. However, the learned counsel appearing for the petitioners also seeks liberty to file afresh if the cause so arises.
3. The learned counsel appearing for respondent nos.8 and 9 submit that the decision making process followed by the Expert Committee was flawed and the said respondents would be filing a substantive petition challenging the same. Any grievance that the respondents may have with regard to the decision making process of the Expert Committee would be considered as and when any action impugning the same is preferred.
4. The petition is disposed of with the liberty as sought by the petitioners. All interim orders stand vacated.
5. The learned counsel for respondent nos. 1 to 5 also states that they shall furnish a full report of the Expert Committee to the parties.

VIBHU BAKHRU, J

JULY 03, 2018

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