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

+ W.P.(C) 2668/2019

RAMESH SINGLA

..... Petitioner

Through: Mr Sagar Sharma, Advocate.

versus

UNION OF INDIA

..... Respondent

Through: Mr Kirtiman Singh, Mr Waize Ali Noor, Mr Sanjay Kumar and Mr Mool Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **20.03.2019**

1. The petitioner has filed the present petition, *inter alia*, impugning the notification dated 07.09.2018 [S.O. 4443(E)], issued under section 26A of the Drugs and Cosmetics Act, 1940, banning the Fixed Dose Combination of Cefuroxime + Linezolid.
2. The learned counsel appearing for the petitioner states that the petitioner is a distributor of the aforesaid drug, and has restricted his prayer in the present petition to be permitted to sell the FDC in question, which was manufactured prior to the ban coming into force. He points out that an interim order to the aforesaid effect has already been granted in ***W.P.(C) 10176/2018*** captioned '***Saffron Formulations Pvt. Ltd. v. Union of India And Anr.***'.
3. In view of the above, the present petition is disposed of, by directing the respondent that no coercive steps would be taken against the petitioner in

respect of the sale of the FDC in question, subject to the same having been manufactured prior to 07.09.2018. Further, the same is restricted to the quantity of the FDC in question, as disclosed at page no.16 of the petition.

4. It is also clarified that the said order is subject to any order that may be passed in W.P.(C) 10176/2018. In other words, if the impugned notification is upheld, the petitioner would immediately cease to sell the stocks of the FDC in question, notwithstanding that the same was manufactured prior to 07.09.2018.

VIBHU BAKHRU, J

MARCH 20, 2019

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