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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1709/2020 & CM Nos. 5908/2020, 5909/2020 & 5910/2020**
CIPLA LIMITED

..... Petitioner
Through: Mr.Amit Sibal, Sr. Adv. with
Ms.Archana Sahadeva, Adv.

versus

UNION OF INDIA & ANR

..... Respondents
Through: Mr.Jasmeet Singh, CGSC with
Mr.Srivats Kaushal, Adv.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **18.02.2020**

This petition has been filed by the petitioner challenging the order dated 08.01.2020 passed by the Department of Pharmaceuticals, Ministry of Chemicals & Fertilizers, Government of India, dismissing the application of the petitioner under Para 31 of the Drugs (Price Control) Order, 2013 (DPCO) observing that it is mandatory for the petitioner company to first implement the ceiling /retail price of the formulation before filing the Review Petition.

The learned senior counsel for the petitioner submits that without prejudice to the rights and contentions of the petitioner, the petitioner is ready and willing to implement the ceiling/retail price, however, prays that its Review Petition be decided by the Department of Pharmaceuticals on merit.

Having considered the submission made and binding the petitioner to

its statement, the Department of Pharmaceuticals is directed to decide the application of the petitioner afresh and on merit. The petitioner shall be at liberty to file its additional representation/submission before the Department of Pharmaceuticals within a period of one week, which shall also be considered by the Department and order thereon be passed within a period of two months on receipt of such representation.

This order shall not be treated as a precedent for future cases.

The present petition is disposed of in the above terms.

NAVIN CHAWLA, J

FEBRUARY 18, 2020/rv