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

+ W.P.(C) 4975/2017 & CMs 21471/2017, 50805/2018

GLENMARK PHARMACEUTICALS LIMITED AND ANR

..... Petitioners

Through: Mr.Aseem Chaturvedi, Mr.Karan Gupta,
Advs.

versus

UNION OF INDIA AND ANR

..... Respondents

Through: Mr.Anurag Ahluwalia, CGSC with
Ms.Nidhi Mohan Parashar, Advs. for UOI.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **11.03.2020**

This petition has been filed challenging the Order dated 02.05.2017 passed by the respondent no.2.

The learned counsel for the respondents submits that by an order dated 18.12.2019, the respondent no.2 has fixed the price of the Digital Dose Counter known as 'Digihaler' of the petitioner.

The learned counsel for the petitioners submits that the said price fixation has been accepted by the petitioners as conveyed in its letter dated 21.01.2020. He, however, submits that during the pendency of the present petition, the respondents issued notices dated 26.07.2018 and 26.11.2018 calling upon the petitioners to furnish information regarding its alleged non-compliance with the notification impugned in the present petition. The learned counsel for the petitioners submits that as the respondents have now fixed the price vide its order dated 18.12.2019, the said notices cannot be

enforced.

In my opinion, these submissions are to be raised in the first instance with the respondent no.2 itself, which the respondent no.2 shall consider in accordance with law.

Incase, the petitioners are aggrieved of the decision taken by the respondent no.2 on such notices, it shall be open to the petitioners to challenge the same in accordance with law.

The petition is disposed of with the above directions.

NAVIN CHAWLA, J

MARCH 11, 2020

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