

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15494 of 2022

=====

Gopal Ray Secretary, Aam Aadmi Mukti Morcha, Registered Political Party, under section 29 of the R.P. Act, 1951, Son of Late Shyam Nandan Ray, Resident of House No. 47, Devi Mandir Road, Behind Ram Deo Bhawan, Punaichak, P.O.- Shastri Nagar, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Dy. Drugs Controller, Central Drugs Standard Control Organization (C.D.S.C.O.) FDA Bhawan, ITO, Kotia Road, New Delhi- 110002.
2. The Principal Secretary of Prime Minister, South Block, Raisina Hill, New Delhi- 110011.
3. The Additional Principal Secretary to Health and Family Welfare Department, Room No. 348, A wing Nirman Bhavan, New Delhi- 110011.
4. The President and CEO, Boehringer Ingelheim Pharma GMBH, Unit No. 202 and part of Unit No. 201, 2nd Floor, Godrej 2 Pirojsha Nagar, Eastern Express Highway, Vikali (E), Mumbai- 400079, India.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Verma, Advocate
For the Respondent/s : Dr. K.N. Singh, ASG

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

=====

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

=====

Date : 11-11-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-



- i) For give direction to the Respondents to include diabetes medicine Ondero met 2.5 mg/500 mg shall be listed in essential medicine in India because MS Boehringer Ingeheim Germany is selling ondero met 2.5 mg/500 mg at MRP of Rs. 710/- per 10 tablet in India. Our India medicine producing factories will manufacture and sell this product for mere MRP 50/- per 10 tablets which is more affordable for poor and common people of India.
- ii) For give direction to the Respondents to stop selling diabetes medicine Ondero met 2.5 mg/500 mg "Indian Market brand is substandard as per CDSCO Sub-Zone Drugs Testing laboratory, Kolkatta failed the standard quality. The aforesaid medicine shall be recalled by the MS Boehringer Ingelheim Germany from the Indian Market to avoid side effects.



iii) For any other reliefs which his Hon'ble Court may deem fit and proper with respect to the petitioner.

The present petition, in our considered view, lacks material particulars.

As such, we dismiss the present petition, reserving liberty to the petitioner to agitate the issue, subject matter of the present petition, afresh, before the appropriate forum, in accordance with law.

Interlocutory Application(s), is any, shall stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	14/11/2022
Transmission Date	

