

15.07.2024
Court No.09
Item no.18
CP

WPA No. 16643 of 2024

Natco Pharma Limited
Vs.
Union of India & ors.

Mr. Jaydip Kar, Sr. Advocate
Mr. Paritosh Sinha
Mr. Amitava Mitra
Mr. S. Dasgupta
Ms. Amrita Majumder
Ms. Mitul Dasgupta
Mr. Soumya Sen
Mr. M. Mukherjee
Ms. Sonia Nandy

....for the petitioner.

Mr. Rabi Prosad Mookerjee
Mr. Sunil Singhania

.....for the respondent nos. 1,2 & 3.

Mr. Jishnu Saha, Sr. Advocate
Mr. Debnath Ghosh
Ms. Pubali Sinha Chowdhury
Mr. Biswaroop Mukherjee
Ms. Mini Agarwal

.....for the respondent nos. 4 & 5.

Heard learned senior counsel for the respective parties. It is submitted by Mr. Saha, learned senior advocate for the respondent nos. 4 and 5, that at the hearing of the pre-grant opposition filed by Natco Pharma Limited, the evidence of experts, filed by the respondent nos. 4 and 5, will not be relied upon by the said respondents.

Thus, the authority is directed to consider the opposition of Natco Pharma Limited, without taking into account the six affidavits filed by the experts.

It is further directed that the opposition of Natco Pharma Limited, shall be decided on the basis of records other than those relating to the proceedings of other objectors in which the affidavits of the experts had been either referred to or relied upon or discussed.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

All parties are to act on the basis of server copy of this order.

(Shampa Sarkar, J.)