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

+ **W.P.(C) 8990/2021**

JYOTSNA GUPTA AND ORS

.....Petitioners

Through: Mr. Anand Nandan and Mr. Kuldeep Mishra, Advocates.

versus

**NATIONAL INSTITUTE OF MEDICAL STATISTICS
AND ORS**

.....Respondents

Through: Mr. Shashwat Sharma, Advocate for Respondents No.1 and 2.

Mr. Neeraj, SPC with Mr. Vedansh Anand, Government Pleader with Mr. Sachin Saraswat, Advocate for Respondent No.3/UOI.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

19.12.2024

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CM APPL. 74689/2024

1. This is an application preferred on behalf of Respondents No. 1 and 2 for disposal of the present writ petition as the same is rendered infructuous in view of the Office Order dated 27.11.2024 passed by the said Respondents.

2. It is averred in the application that Petitioners had amended the writ petition and the only direction sought in the amended writ petition is to make the Clinical Trial Registry of India ('CTRI') a permanent feature of Respondent No. 1/Institute. National Institute of Medical Statistics, now known as National Institute for Research in Digital Health and Data Science is one of the Institutes of ICMR, which is Respondent No. 2 in the present writ petition.



3. It is further stated that a policy decision is taken by ICMR to make the CTRI perennial. The said decision has been taken in view of the fact that registration of the clinical trials has been made mandatory as per the New Drugs and Clinical Trial Rules, 2019 ('2019 Rules') and the same has to be complied with. Keeping this in view, ICMR formed a Committee to look into the matter and on recommendations of the Committee, an office order has been issued on 27.11.2024 whereby it is notified that CTRI will now be a perennial feature of ICMR and therefore, the only grievance of the Petitioners stands redressed.

4. Issue notice.

5. Mr. Anand Nandan, learned counsel accepts notice on behalf of the Petitioners and does not dispute that in the amended writ petition, the only relief sought is to make CTRI a permanent feature of ICMR but expresses an apprehension that after the disposal of this writ petition, ICMR may discontinue the same as the expression used in the office order dated 27.11.2024 is not permanent but 'perennial', to which learned counsel for ICMR, on instructions, submits that in light of the statutory requirement of 2019 Rules, the office order cannot be varied to discontinue CTRI.

6. In light of the office order dated 27.11.2024 and the submission of ICMR that CTRI will be a permanent feature of ICMR in view of the mandate of 2019 Rules, the apprehension of the Petitioners is without any basis. There is no gainsaying that once the 2019 Rules mandate the clinical trials, CTRI will be a permanent feature *albeit* the expression used in the office order is perennial.

7. Application is allowed and disposed of.



W.P.(C) 8990/2021 and CM APPLs. 27962/2021, 18123/2024 and 45781/2024

8. In view of office order dated 27.11.2024, the only grievance of the Petitioners stands redressed and the writ petition is disposed of as infructuous. Pending applications also stand disposed of.

9. The date already fixed as 04.04.2025 stands cancelled.

JYOTI SINGH, J

DECEMBER 19, 2024/shivam