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

+ **W.P.(C) 8869/2011& CM APPL. 20053/2011**

BIOTECH INTERNATIONAL LTD AND ANRPetitioners

Through: **Mr. Vaibhav Agnihotri and
Ms. Sonakshi Chaturvedi, Advocates**

versus

UOI AND ORS

.....Respondents

Through: **Mr. Anil Soni, CGSC with
Mr. Devvrat Yadav, Advocate for R-1
Mr. Raghav Authwal, Ms. Bharti, Ms.
Shilpa Kaushik, Mr. Yajuvendra
Kumar and Mr. Sumeet Tanwar,
Advocates**

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

26.07.2024

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1. The present writ petition is filed under Articles 226 and 227 of the Constitution primarily for quashing of the order dated 01.12.2011 passed by the respondent no. 1. The petitioners have made the following prayer:-

- (a) Quash the letter dated 24.08.2011 issued by the Respondent No 1 to the Petitioner directing it to file a reply to the appeal bearing No 06/2011 filed by the Respondent No 3..... 24 August 2015;**
- (b) Quash the impugned order dated 01.12.2011 passed by the Respondent No 1 erroneously rejecting the preliminary objections filed by the Petitioner;**
- (c) Call for the records of the Respondent No.1 pertaining to Appeal No. 06 of 2011 filed by Rahit Khosla/Respondent No.3;**
- (d) Issue a writ of or in the nature of prohibition or any other appropriate writ, order or direction to prohibit/forbid the**



- Respondent No 1 from proceeding with the adjudication of Appeal No. 06 of 2011 filed by the Respondent No 3 and be further pleased to adjudge, hold and declare that the Respondent No. 1 does not have the jurisdiction to adjudicate upon the said appeal filed by the Respondent No 3 and be further pleased to quash all the proceedings taken by the Respondent No. 1 pursuant to Appeal No. 06 of 2011 and all orders passed therein and order dismissal of the said appeal**
- (e) Issue such further or other writs, orders or directions as would afford complete relief to the Petitioner,**
 - (f) Award costs of the petition in favour of the Petitioner,**
 - (g) Pass such further or other orders as may be deemed just and proper in the circumstances of the case**

2. Mr. Vaibhav Agnihotri, Advocate for the petitioners stated that the respondent no. 1 has already passed a final order dated 06.06.2018 holding that the appeal preferred by the respondent no. 3 is not maintainable and further stated that in view of the final order dated 06.06.2018, the present petition can be disposed of.

3. In view of the submissions made by the counsel for the petitioners, the present petition is accordingly disposed of along with the pending applications, if any.

DR. SUDHIR KUMAR JAIN, J

JULY 26, 2024

Sk/abk