

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.12592 OF 2025

Alivira Animal Health Limited ... Petitioner

Versus

Union of India,
Through the Secretary, Ministry of
Health & Family Welfare & Anr. ... Respondents

Mr. Nausher Kohli a/w Mr. Akash Agarwal and Mr. Jehan
Fouzdar i/b MAAK Legal, for the Petitioner

Ms. Naveena Kumari and Ms. Aparna Rajeshwari for the
Respondents-UOI

Mr. J. Ravi Kumar, Drugs Inspector, is present in Court

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
MONDAY, 13th OCTOBER 2025**

P.C :

1 Heard learned Counsel for the parties.

2 By this petition, the petitioner has impugned the
Notification dated 12th March 2025 issued by Respondent No. 2,
whereby the import, manufacture, sale, and distribution of two

drugs for use in any Food Producing Animal Rearing System have been prohibited with immediate effect. The two drugs in question are-(i) Chloramphenicol and its formulations; and (ii) Nitrofurans and its formulations.

3 Learned counsel for the petitioner submits that the said Notification ought to be read as prospective in its operation and not retrospective. He submits that the goods manufactured prior to the issuance of the said Notification would not fall within its ambit. Learned counsel relies on the judgment of the Delhi High Court in *Glenmark Pharmaceuticals Ltd. & Anr. v. Union of India & Anr.*¹, wherein it has been held that the Notification impugned therein would apply prospectively, i.e., only to stocks manufactured from the date of the said Notification.

4 Learned Counsel appearing for Respondent No. 2 fairly states that the impugned Notification dated 12th March 2025 would operate prospectively and not retrospectively, in view

1 2025 SCC OnLine Del 2687

of the aforesaid judgment of the Delhi High Court. The words used in the Notification, “*with immediate effect*”, make it clear that the prohibition would apply from the date of the Notification, i.e., 12th March 2025.

5 At this stage, learned counsel for the petitioner submits that the petitioner has not manufactured any drugs after the issuance of the said Notification. Statement accepted. He further submits that the petitioner has no objection to inspection being carried out by the concerned authorities, if deemed necessary.

6 Learned counsel for the petitioner also submits that the drugs manufactured prior to 12th March 2025 be permitted to be sold or distributed in the market after due inspection and verification that the said drugs were indeed manufactured prior to the Notification.

7 Learned counsel for respondent No. 2 on instructions of the officer present in Court, states that the concerned officer shall, within two weeks from the date of uploading of this order, inspect the goods in question and verify whether they were manufactured prior to 12th March 2025. Upon such verification, the officer shall permit the petitioner to sell and distribute the said drugs which were manufactured prior to the date of the Notification. Statement accepted.

8 In view of the aforesaid, nothing survives for further consideration in the petition. Petition is accordingly disposed of.

9 All concerned to act on the authenticated copy of this order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.