

Dr Zaheer Ahmed vs Preeti Sudan Secretary, Union Of India & ... on 4 March, 2024

Author: Manmeet Pritam Singh Arora

Bench: Manmeet Pritam Singh Arora

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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CONT.CAS(C) 355/2019 & CM APPLs. 1
DR ZAHEER AHMED

PREETI SUDAN SECRETARY, UNION OF INDIA

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+ W.P.(C) 10611/2018 & CM APPLs. 41
SOUTH CHEMISTS AND DISTRIBUTORS AS
(REGD.) AND ANR.

Through: Mr. Sudhir

versus

UNION OF INDIA AND ORS.

Through: Mr. Bharath
for UOI
Ms. Sheenu
Mr. Sudhir
Mr. Sudhir,

+ W.P.(C) 11711/2018 & CM APPLs. 453
53276/2018, 53461/2018, 518/2019,

DR. ZAHEER AHMED

Through:

THE UNION OF INDIA & ORS

Through: Mr. Kirtima
Vidhi Jain,
Mr. Dinesh

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CONT.CAS(C) 1681/2023

SOUTH CHEMISTS AND DISTRIBUTORS ASSOCIATION
(REGD.) & ANR.

Through: Mr. Sudhir

SUDHANSH PANT & ORS.

Through:

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

% 04.03.2024 This is a digitally signed order.

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1. Present application has been filed under Order I Rule 10 read with Section 151 of the CPC on behalf of the Applicant-Dr. Syeda Saiyidain, seeking impleadment as a Petitioner in the present public interest petition.
2. Learned counsel for the Applicant states that the Applicant is the maternal aunt of the Petitioner and such an application is occasioned by the unfortunate demise of the Petitioner on 13th November, 2023.
3. Issue notice. Learned counsel for non-applicants accept notice. They have no objection if the present application is allowed.
4. Consequently, with the consent of the parties, present application is allowed. Let an amended memo of parties be filed within four weeks. CM APPL. 13527/2024 in W.P.(C) 11711/2018

5. In pursuance to the last order, the Joint Secretary, Ministry of Health and Family Welfare is personally present. He prays for four months further time for framing the policy for online sale of drugs as per the draft notification dated 28th August, 2018. In support of his prayer, he refers to para '8' of CM APPL. 13527/2024, which reads as under: -

" 8. It is therefore respectfully submitted that the subject of online sale of drugs is one of complex nature and any modification in the manner of sale of drugs will have far reaching consequences and will involve changes in many other Acts and Rules/Regulations apart from Drugs & Cosmetics Act, 1940; Pharmacy Act, 1948; Pharmacy Practice Regulations, 2015; Indian Medical Act, 1956; Code of Ethics Regulations, 2002, and Drugs and Magic Remedies (Objectionable Advertisement) Act, 1954. It is further submitted that the modifications will also involve changes and amendments in these Acts and Rules / Regulations and the manner in which these Acts and Rules /Regulations are operated and enforced by all their respective stakeholders."

6. In view of the aforesaid, the last and final opportunity is given to the Ministry of Health and Family Welfare to frame a policy of online sale of This is a digitally signed order.

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7. It is made clear that if the draft policy is not prepared before the next date of hearing, this Court will have no other option but to proceed ahead with the matter.

8. Accordingly, the present application stands disposed of. CONT.CAS(C) 355/2019 W.P.(C) 10611/2018 W.P.(C) 11711/2018 CONT.CAS(C) 1681/2023

9. List on 8th July, 2024.

ACTING CHIEF JUSTICE MANMEET PRITAM SINGH ARORA, J MARCH 4, 2024/rhc This is a digitally signed order.

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