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

+ W.P.(C) 11711/2018 & CM APPL. 45307/2018

DR. ZAHEER AHMED

..... Petitioner

Through: Mr. Arvind Nigam, Sr. Adv. with
Mr. Nakul Mohta, Mrs. Misha
Rohatgi Mohta, Mr. Johnson Subba &
Mr. Mehtaab Singh Sandhu, Advs.

versus

THE UNION OF INDIA & ORS

..... Respondents

Through: Mr. Kirtiman Singh, CGSC with
Mr. Waize Ali Noor, Adv. for R-1 &
3.
Ms. Hetu Arora Sethi, ASC, GNCTD
with Mr. Siddarth Agarwal, Adv. for
R-2, 4 & 6.
Mr. Zoheb Hossain, Adv. for R-5.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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12.12.2018

Respondents pray for and are granted four weeks' time to file the counter affidavit.

Shri Arvind Nigam, learned senior counsel appearing for the petitioner submits that online sale of drugs is prohibited in law. There is no control and the sale is being done in total violation of the statutory provisions, namely, the Drugs and Cosmetics Act, 1940. That apart, he



invites our attention to the draft rules prepared and circulated wherein online dispensation of drugs is prohibited. He also invites our attention to an interim order passed by the Madras High Court in W.P.No.28716/2018 and W.M.P.No.33542/2018 on 31.10.2018 wherein taking note of all these factors and the seriousness of the issue and the public cause involved, interim injunction has been granted with regard to online sale of medicines without licence and the competent authority has been directed to stall such online sales forthwith. We see no reasons as why similar directions be not issued in the present case.

List on 25.03.2019.

Respondents are enjoined from online sale of medicines without licence and the respondents are directed to ensure that the same is prohibited forthwith until further orders.

Dasti.

CHIEF JUSTICE

V. KAMESWAR RAO, J

DECEMBER 12, 2018

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