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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 355/2019 & CM APPLs. 12361/2023, 12362/2023,**
44233/2023

DR ZAHEER AHMED Petitioner
versus

PREETI SUDAN SECRETARY, UNION OF INDIA & ORS
..... Respondents

+ **W.P.(C) 10611/2018 & CM APPLs. 41330/2018, 19841/2019**

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

versus

UNION OF INDIA AND ORS. Respondents

+ **W.P.(C) 11711/2018 & CM APPLs. 45307/2018, 53274/2018,**
53276/2018, 53461/2018, 518/2019, 5822/2019, 22215/2019

DR. ZAHEER AHMED Petitioner
versus

THE UNION OF INDIA & ORS Respondents

For Petitioners: Mr. Sudhir Nandrajog, Senior Advocate with Mr. Amit Gupta, Mr. H.S. Mahapatra, Mr. Manan Takkar and Ms. Aditi Prakash, Advocates in Item No. 2.
Mr. Jayant Mehta, Senior Advocate with Mr. Nakul Mohta and Mr. Bharat Monga, Advocates in Item No. 1.

For Respondents: Mr. Sridhar Potaraju and Ms. Shiwani Tushir, Advocates for R-11 in Item No. 2.



Mr. Sandeep Sethi, Senior Advocate with Mr. Gyanendra Kumar, Ms. Anuradha Mukherjee, Ms. Shree Sinha and Mr. Shivam Tiwari, Advocates for R-6 & 9 in Item No. 2, for R- 13 to 20 in Item No. 1 and for R-8 in Item No. 3.

Ms. Shobhana Takiar, Standing Counsel with Mr. Kuljeet Singh, Advocate for R-10 in Items No. 1, 2.

Ms. Hetu Arora Sethi, ASC, GNCTD with Ms. K. Nailwal, Advocate in Item No. 1.

Mr. Kirtiman Singh, CGSC with Ms. Vidhi Jain, Advocate for UOI in Items No. 1 & 2.

Mr. Rishikesh Kumar, ASC, GNCTD with Ms. Sheenu Priya, Mr. Sudhir Kumar Shukla, Mr. Muhammad Zaid, Mr. Sudhir and Mr. Sumit Choudhary, Advocates for GNCTD in Item No. 1.

Mr. Srijan Sinha, Mr. Naveen Soni and Mr. Nikhil Khare, Advocates for R-26 to 28 in Items No. 1 & 3.

Ms. Bharathi Raju, SPC for UOI in Item No. 2.

Mr. Amit Singh Chadha, Senior Advocate with Mr. Ankur Khandelwal and Ms. Perna Sharma, Advocates for R-7 in Item-3 and for R-5 to 8 in Item No. 1.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

28.08.2023

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CM APPL. No. 12285/2023 (seeking substitution of the Applicant (API Holdings Ltd.) in W.P.(C) 10611/2018

1. The present application has been filed by API Holdings Limited stating that, pursuant to an order dated 24th September, 2021 passed by Regional Director, Ministry of Corporate Affairs, Mumbai (under Section



233 of the Companies Act, 2013), Respondent No. 6–Medlife International Private Limited stands amalgamated into API Holdings Limited in line with the scheme of the amalgamation and therefore, a prayer has been made in the application for substituting API Holdings Limited in place of Respondent No. 6.

2. The application is allowed. Amended memo of parties be filed forthwith. Registry is directed to make the necessary amendment in the cause title.

3. Disposed of.

CM APPL. No. 44348/2023 (seeking substitution in place of Respondent No. 7) in W.P.(C) 11711/2018

4. The present application has been filed by Tata 1MG Healthcare Solutions Private Limited stating that the business of Respondent No. 7–1MG Technologies Private Limited has been transferred in their favour w.e.f. 11th June, 2021 and therefore, Tata 1MG Healthcare Solutions Private Limited be substituted in place of Respondent No. 7.

5. The application is allowed. Amended memo of parties be filed forthwith. Registry is directed to make the necessary amendment in the cause title.

6. Disposed of.

CM APPL. No. 49895/2022 (seeking substitution in place of Respondent No.8) in W.P.(C) 11711/2018

7. The present application has been filed by Threpsi Solutions Private Limited stating that, pursuant to order dated 08th June, 2020, the National Company Law Tribunal, Mumbai, Respondent No. 8–91 Streets Media Technologies Private Limited stands amalgamated into API Holdings Ltd.



and dissolved without winding up. Subsequently, by way of a business transfer agreement dated 25th September, 2020, the business stands further transferred to the Applicant herein, w.e.f. from 29th September, 2020. Therefore, a prayer has been made for substituting Threpsi Solutions Private Limited in place of Respondent No. 8.

8. The application is allowed. Amended memo of parties be filed forthwith. Registry is directed to make the necessary amendment in the cause title.

9. Disposed of.

CONT.CAS(C) 355/2019, W.P.(C) 10611/2018, W.P.(C) 11711/2018

10. Mr. Kirtiman Singh, Learned CGSC for Union of India [*'UoI'*] has informed this Court that consultations and deliberations are still on-going *qua* the draft notification No. G.S.R. 817(E) dated 28th August, 2018 which relates to online sale of drugs. He prays for further six weeks' time. Union of India is granted further six weeks' time to take appropriate steps and thereafter, inform the Court of UoI's final stand in this matter.

11. In the interim, the UoI and State Governments are directed to take necessary action, in accordance with law, in respect of persons acting in violation of interim order dated 12th December, 2018, i.e., engaging in online sale of drugs without a valid license.

12. List on 16th November, 2023.

SATISH CHANDRA SHARMA, CJ

SANJEEV NARULA, J

AUGUST 28, 2023/as