

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE SHAJI P.CHALY**

Wednesday, the 5th day of April 2023 / 15th Chaithra, 1945
WP(C) NO. 18999 OF 2022

PETITIONER:

SMT.X
RESIDENT OF ERNAKULAM (NAME OF PETITIONER SUBSTITUTED) "IN RE
EXORBITANT PRICING OF LIFE SAVING PATENDED MEDICINES" [IS
SUBSTITUTED AS PER ORDER DATED 16.09.2022.]

RESPONDENT:

1. UNION OF INDIA, REPRESENTED BY SECRETARY, MINISTRY OF HEALTH AND FAMILY WELFARE, GOVERNMENT OF INDIA, ROOM NO. 348; 'A' WING, NIRMAN BHAVAN, NEW DELHI-110011
2. SECRETARY, DEPARTMENT OF PHARMACEUTICALS, MINISTRY OF CHEMICALS AND FERTILIZERS, GOVERNMENT OF INDIA, 236A, A- WING, 2ND FLOOR, SHASTRI BHAWAN, DR. RAJENDRA PRASAD ROAD, NEW DELHI - 110001
3. SECRETARY, DEPARTMENT FOR PROMOTION OF INDUSTRY AND INTERNAL TRADE (DPIIT) UDYOG BHAWAN, NEW DELHI - 110011
4. SECRETARY, MINISTRY OF WOMEN AND CHILD DEVELOPMENT, SHASTRI BHAWAN, DR. RAJENDRA PRASAD ROAD, NEW DELHI - 110001
5. CONTROLLER GENERAL OF PATENTS, DESIGNS AND TRADE MARKS, PATENT OFFICE KOLKATA, BOUDHIK SAMPADHA BHAWAN, CP-2 SECTOR V, SALT LAKE CITY, KOLKATA - 700091
6. INDIAN COUNCIL OF MEDICAL RESEARCH, REPRESENTED BY DIRECTOR GENERAL, ANSARI NAGAR, NEW DELHI - 110029
7. ADDL.R7. RAHUL BAJAJ 001, SARVAPRIYA VIHAR APARTMENTS, NEW DELHI - 110016.(ADDITIONAL R7 IS IMPEADED AS PER ORDER DATED 02.09.2022 IN I.A.1/2022 IN WP(C)18999/2022).
8. ADDL.R8. ELI LILLY AND COMPANY (INDIA)PVT.LTD, PLOT# 92, SECTOR 32, INSTITUTIONAL AREA, GURGAON 122 001, HARYANA, INDIA [IS SUO MOTU IMPEADED AS PER ORDER DATED 15.03.2023 IN WP(C)18999/2022.]

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the 3rd respondent to consider and pass orders on Ext.P25 representation within a timeframe to be fixed by this Hon'ble Court.

This petition again coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and this Court's order dated 15.03.2023 and upon hearing the arguments of SMT.MAITREYI SACHCHIDANANDA HEGDE, former Advocate for the petitioner and now appointed as Amicus Curiae and of CENTRAL GOVERNMENT COUNSEL for R1 to R4 and of SRI.G.SREEKUMAR, (Senior advocate) for ADDL.R8 the court passed the following:

SHAJI P. CHALY, J

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W.P. (C.) No. 18999 of 2022

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DATED THIS THE 05TH DAY OF APRIL, 2023.

ORDER

Learned Amicus Curiae submitted that an order may be passed by this Court directing the Central Government to collect the data with respect to the persons suffering from different types of Breast Cancer from the Indian Council of Medical Research, New Delhi.

Since it is an innocuous prayer sought for by the Amicus Curiae in the larger public interest, there will be a direction to the Ministry of Health and Family Welfare to collect the details from the sixth respondent and submit a report before this Court within one month.

Sd/-

SHAJI P. CHALY
JUDGE

DCS/05.04.2023