

**SUPREME COURT OF INDIA**

Organisation of Pharmaceuticals Producers of India

Vs.

Union of India

Writ Petn. (Civil) No. 12589 of 1983

(Ranganath Misra and M. M. Dutt, JJ.)

16.04.1987

**JUDGEMENT**

**RANGANATH MISRA, J.:-**

1. This writ petition under Art. 32 of the Constitution was heard along with writ petition No. 3492 of 1983 and the petitioner herein was arrayed as respondent 5 in the other writ petition. Writ petition No. 3492 of 1983 has been disposed of by judgment delivered on 3-3-1987. The plea of the petitioner has been duly taken note of in that judgment.

2. On 23rd of July, 1983 the Central Government prohibited manufacture and sale of specified drugs on the basis that use thereof involved risk to human beings and/or such drugs had no therapeutic value. The petitioner which is an Organisation of the manufacturers filed this writ application for quashing of that notification on the footing that it was illegal, unconstitutional and without the authority of law and was violative of fundamental rights of the petitioner and the members constituting the petitioner Organisation. During the hearing of the earlier writ application, it was stated to the Court on behalf of the petitioners that they have no intention to challenge the

Governmental Drug Policy and would not like to indulge in the manufacture of such drugs and formulations which are found to be injurious to human health. In view of that statement, we do not find any merit in the writ petition and the same has, therefore, to be dismissed. There will, however, be no order for costs.

Petition dismissed.