

**WP (C) No. 41/2015**  
**Sun Pharma Laboratories Ltd. vs. Union of India & Ors.**

**BEFORE**  
**MR. JUSTICE SATISH K. AGNIHOTRI, CJ. &**  
**MR. JUSTICE BHASKAR RAJ PRADHAN, J.**

**18.08.17** Present: Mr. Vikram Mankani, Sr. Advocate with Ms. Sangita  
(Agnihotri, CJ) Pradhan and Mr. Jitendra Motwani, Advocates for the  
petitioner.

Mr. B. K. Gupta, Advocate for the Respondents.

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Impugning the validity and legality of the Notifications No. 20/2008-C.E. dated 27.03.2008 and No. 38/2008-C.E. dated 10.06.2008, the instant petition is preferred at the first instance. Thereafter, an application, being IA No. 05 of 20126, was filed seeking amendment of the writ petition, impugning Notifications NEIIP, 2007, Notification No. 20/2007-C.E. dated 25.05.2007 as well as amending Notification No. 20/2008-CE and Notification No. 38/2008-CE, on the ground that all the notifications are interconnected and have bearing on the issue involved in the writ petition.

Learned counsel appearing for the respondents submits that the petitioner is not competent to question the validity of the notifications. Thus, this amendment application be not allowed.

We have examined the notifications and also the issue involved herein.

We are of the considered view that the notifications sought to be impugned by way of amendment in the main

petition will not create a different cause of action. The amendment is necessary for proper adjudication of the *lis* involved in the main writ petition. Accordingly, it is ordered.

The petitioner is directed to file amended writ petition within a period of one week and two weeks, thereafter, is granted to the respondents to file counter affidavit to the amended writ petition.

Call on 09.10.2017 along with W.P.(C) No. 08/2017, W.P.(C) No. 40/2017 and W.P.(C) No. 27/2017.

**Judge**  
18.08.2017

**Chief Justice**  
18.08.2017

jk/avi    Index : ~~Yes~~ / No  
             Internet : Yes / ~~No~~