

HIGH COURT OF SIKKIM

Record of proceedings

W. P. (C) No. 27 of 2022

ALKEM LABORATORIES LIMITED

.... PETITIONER

VERSUS

UNION OF INDIA & ORS.

.... RESPONDENTS

Date: 23.02.2023

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HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, J.

For Petitioner : Mr. Hissey Gyaltzen, Advocate.

For Respondents: Ms. Sangita Pradhan, Deputy Solicitor General of India assisted by Ms. Natasha Pradhan, Advocate.

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I.A. No. 02 of 2022

This is an application for amendment of the writ petition preferred by the petitioner. It is the case of the petitioner that certain documents were disclosed for the first time in the counter affidavit dated 15.07.2022 filed by the respondents. It is their case that office memorandum dated 20.10.2021 issued by the respondent no.2; office memorandum dated 03.03.2021 and 06.04.2022 issued by the respondent no.5 were disclosed for the first time in the said counter affidavit and that these documents were not available either in the public domain nor were they provided to the petitioner through any communication of the respondents. In view of the same the petitioner desires to add three additional grounds as enumerated in paragraph 4 of the application pertaining to those documents as well as seek an additional relief for quashing the said memorandums to the extent it is applicable to the petitioner as sought for in paragraph 5 of the

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application. This court has perused the reply filed by the respondents and it is seen that they do not contest the aforesaid facts. As the respondents have sought to rely upon the memorandums to contest the writ petition it would have relevance in the present case. In view of the same this court is of the view that the amendments sought for by the petitioner are necessary for the proper disposal of the present case. The amendments are allowed to the above extent. The petitioner shall file the amended writ petition within a period of two weeks hence. Two weeks thereafter, to the respondents to file an amended counter affidavit if they so desire. Rejoinder may be filed within a period of one week, if necessary. I.A. No. 02 of 2022 stands allowed and disposed of.

Judge

to/ **Index: yes/No**
Internet: yes/No