

ITEM NO.38

COURT NO.13

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO. 645/2022

INDIAN MEDICAL ASSOCIATION & ANR.

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

IA No. 130554/2022 - CLARIFICATION/DIRECTION
IA No. 16915/2023 - EXEMPTION FROM FILING O.T.
IA No. 13659/2023 - INTERVENTION APPLICATION)

Date : 21-11-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s)

Mr. P S Patwalia, Sr. Adv.
Mr. Prabhas Bajaj, Adv.
Mr. Amarjeet Singh, AOR
Mr. Priyanshu Tyagi, Adv.

For Respondent(s)

Mr. K M Nataraj, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Mr. Amrish Kumar, AOR
Mr. Sharath Nambiar, Adv.
Mr. Vinayak Sharma, Adv.
Mr. Rajat Nair, Adv.
Mr. Kanu Agrawal, Adv.
Mr. Shashank Bajpai, Adv.
Mr. Ishaan Sharma, Adv.
Mrs. Priya Mishra, Adv.

Ms. Avni Singh, Adv.
Mr. Jitin Chaturvedi, AOR

Mr. Sajan Poovayya, Sr. Adv.
Mrs. Sanjanthi Sajan Poovayya, Adv.
Mr. Simranjeet Singh, Adv.
Mr. Pulkit Gupta, Adv.

**Ms. Zoya Junaid, Adv.
Mr. Umang Verma, Adv.
Ms. Apurbaa Dutta, Adv.
Mr. Gautam Talukdar, AOR**

Ms. Mrinmoi Chatterjee , AOR

**UPON hearing the counsel, the Court made the following
O R D E R**

Heard Mr. P.S. Patwalia, learned senior counsel for the petitioners; Mr. K.M. Nataraj, learned Additional Solicitor General¹, and; Mr. Sajan Poovayya, learned senior counsel appearing for the Respondent No.5/Patanjali Ayurved Limited.

2. After some arguments were canvassed by counsel afore-noted, on the serious points emanating herein, at the request of the Court, Mr. K.M. Nataraj, learned ASG has very fairly submitted that he may be permitted to obtain instructions, after full and effective consultation with the authorities concerned insofar as checking of incorrect assertions/misrepresentation for various products with regard to their purported medicinal efficacy is concerned, as also the measures which may be put in place for statements released through the media, both electronic and print, presently confined to the Respondent No.5.

3. Mr. Poovayya, learned senior counsel for the Respondent No.5, on instructions, assures this Court that henceforth there shall not be any violation of any law(s), especially relating to advertising or branding of

1 Hereinafter referred to as 'ASG'.

products manufactured and marketed by it and, further, that no casual statements claiming medicinal efficacy or against any system of medicine will be released to the media in any form. The Respondent No.5 is bound down to such assurance.

4. It is made clear that the suit(s) pending on issues pertaining *inter-se*, that is, between the petitioners/other persons and the Respondent No.5 have not been stayed, and shall not be hindered only by reason of the pendency of the present writ petition.

5. As prayed for jointly, the matter be listed on 06th February, 2024.

(POOJA SHARMA)
COURT MASTER (SH)

(NAND KISHOR)
COURT MASTER (NSH)