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**IN THE HIGH COURT OF DELHI AT NEW DELHI**

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**W.P.(C) 552/2011**

M/S AAR ESS REMEDIES PVT. LTD.

..... Petitioner

Through: Mr. Alok Kumar, Advocate.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Ms. Reeta Kaul, Advocate for R-1 to R-4.

41

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**W.P.(C) 573/2011**

M/S VIVID BIOTEK PVT. LTD

..... Petitioner

Through: Mr. Alok Kumar, Advocate.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Ms. Reeta Kaul, Advocate for R-1 to R-4.

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**W.P.(C) 574/2011**

M/S ZUNISON HEALTH CARE

..... Petitioner

Through: Mr. Alok Kumar, Advocate.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Ms. Reeta Kaul, Advocate for R-1 to R-4.

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**W.P.(C) 575/2011**

M/S GROWNBURY PHARMACEUTICALS PVT. LTD.

..... Petitioner

Through : Mr. Alok Kumar, Advocate.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Ms. Reeta Kaul, Advocate for R-1 to R-4.

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**Civil Nos. 552, 573, 574 and 575/2011**

**Page 1 of 3**

**CORAM: JUSTICE S. MURALIDHAR**

**ORDER**

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**31.01.2011**

**CM No. 1188/2011 (exemption) in W.P. (C) No. 552/2011**

**CM No. 1223/2011 (exemption) in W.P. (C) No. 573/2011**

**CM No. 1225/2011 (exemption) in W.P. (C) No. 574/2011**

**CM No. 1227/2011 (exemption) in W.P. (C) No. 575/2011**

Exemption allowed subject to all just exceptions.

The applications are disposed of.

**W.P.(C) No. 552/2011 & CM No. 1187/2011 (for stay)**

**W.P.(C) No. 573/2011 & CM No. 1222/2011 (for stay)**

**W.P.(C) No. 574/2011 & CM No. 1224/2011 (for stay)**

**W.P.(C) No. 575/2011 & CM No. 1226/2011 (for stay)**

1. These four petitions seek an identical prayer for a direction to the Ministry of Health and Family Welfare, Union of India, Respondent No. 1 and the Director General of Health Services ('DGHS'), Respondent No. 3 to include the name of each of the Petitioners as being eligible "in the upcoming combined formulary list for supply of drugs to CGHS dispensaries and Wellness Centres."

2. The admitted position is that there is no order passed by the Respondents which indicates that the Petitioners have been held ineligible for supply of drugs. There is also no list of suppliers published from which the Petitioners could infer that they have been left out. This information can easily be sought by the Petitioners under the Right to Information Act, 2005 ('RTI Act') for which purpose in fact an application appears to have been made. If such an application is not being disposed by the Respondents, then the Petitioners should pursue further remedies under the RTI Act.

3. As far as the prayers in this writ petition are concerned, they are premature.
4. The writ petitions are dismissed. The pending applications are also dismissed.



**S. MURALIDHAR, J**

**JANUARY 31, 2011**  
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