

ORDER SHEET
HIGH COURT OF SINDH, KARACHI

C.P. No.D-685 of 2020

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar.

Mr. Justice Arshad Hussain Khan.

M/s. Abbott Laboratories (Pakistan) LimitedPetitioner

Versus

Federation of Pakistan & othersRespondents

Date of hearing 14.10.2020

Mr. Muhammad Vawda advocate for the petitioner

Mr. Muhammad Bilal Bhatti advocate for the respondent No.6

Mr. Arshad Ali advocate holding brief for Mr. Ameer Bux Metlo
advocate for the respondent No.7.

Mr. Kafeel Ahmed Abbasi, DAG.

Dr. Fakhruddin Aamir, Director (Medical Devices), DRAP,
Islamabad.

Hafiz Bilal Bin Akbar, Assistant Director (Legal), DRAP,
Islamabad.

Syed Hakim Masood, Federal Drug Inspector, DRAP, Karachi.

Muhammad Ali Mazhar, J: On last date of hearing, learned counsel for the petitioner pointed out page 21 of the memo of petition in which table has been formulated to show that 286 applications in relation to 647 medical devices are pending with DRAP. He further pointed out to us that during pendency of this petition, some more applications have been filed and now total 431 applications for enlistment of Medical Devices are pending without any action by DRAP.

2. Today, Dr. Fakhruddin Aamir, Director (Medical Devices) Drug Regulatory Authority of Pakistan, Islamabad is present and he submits that out of 431 applications 114 have already been decided and enlistment certificates have been issued in terms of

Medical Devices Rules, 2017. So far as the other pending applications are concerned, the Director (Medical Devices), DRAP has given a clear statement that meeting of the Medical Devices Board, DRAP is scheduled to be convened on 16.10.2020 in which 35 applications of the petitioner will be considered in the first phase which will approximately cover 100 medical devices and second meeting will be scheduled within 20 days in which another 35 applications will be taken up for consideration and decision, however, he further assured us that on instructions of the competent authority all pending applications will be considered and decided in four months' time. This statement is taken on record with strict directions to comply with the undertaking given by the Director (Medical Devices), DRAP in this court. At this juncture, learned counsel for the petitioner referred to Rule 38 of the Medical Devices Rules, 2017 which provides that no medical device shall be placed in the market unless it has been appropriately labeled including information of establishment/licence's details, enlistment or registration number, MRP etc. He submits that some provisional license may be allowed during pendency of the applications for which the proper application may also be made to the Medical Devices Board of the DRAP to consider. Petition is disposed of accordingly along with pending application. Copy of this order may be transmitted to the CEO, DRAP, Islamabad.

JUDGE

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