

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
C.P No. D-5539 of 2020

Dated Order with signature of Judge.

Priority

1. For hearing of Misc. No.23605/2020
2. For hearing of Main Case.

20.09.2022.

Mr. Rashid Mureed, Advocate for the Petitioner.
Kazi Abdul Hameed Siddiqui, D.A.G.
Syed Hakim Masood, FID, DRAP, Karachi

YOUSUF ALI SAYEED, J- The Petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution so as to assail two letters issued by the Drug Regulatory Authority of Pakistan (“**DRAP**”) regarding the cancellation of the Petitioner’s registration in respect of certain pharmaceutical products, with it being averred that the Petitioner had responded to a Show-Cause Notice that had been issued by DRAP on the subject and it being sought that DRAP be restrained from taking any coercive action in pursuance of the impugned letters without considering the representation of the Petitioner.

As it transpires, the comments submitted on behalf of DRAP reflects that the principal of the Petitioner had apparently intimated DRAP that it had cancelled/terminated the Petitioner’s agency in relation to the subject products and appointed a third party as its agent/representative, with the matter thus being placed before the Registration Board and a decision being taken to issue the show cause notice to the Petitioner. Thereafter, the ensuing proceedings taking place during pendency of this Petition had culminated in a decision by the Registration Board that if the Petitioner desired to preserve its registration for the given products, it ought to submit a fresh license agreement/authorization letter from the proprietor, and such decision was open to challenge by way of an appeal under section 9 of Drug Act 1976 before the Appellate Board.

When asked, learned counsel for the Petitioner could not controvert the veracity of what had been stated in the comments. Under the given circumstances, it is manifest that subsequent events have overtaken the Petition, which accordingly stands dismissed along with the pending miscellaneous application, leaving the Petitioner at liberty to pursue the alternate remedy available, if so desired.

JUDGE

CHIEF JUSTICE