

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C.P. No.D-4792 of 2024

Sigma Pharma International (Pvt.) Ltd.

Versus

Federation of Pakistan & others

Date	Order with signature of Judge
------	-------------------------------

1. For orders on Misc. No.21456/24
2. For orders on Misc. No.21457/24
3. For orders on Misc. No.21458/24
4. For hearing of main case.

Dated: 02.10.2024

Mr. Rashid Mureed for petitioner.

-.-.-

In pursuance of SRO 595(I/2023 dated 18.05.2023, the petitioner applied price increase vide its letter dated 22.05.2023. The said application was considered accordingly and in terms of letter dated 23.08.2023 the annual price adjustment in the MRP of certain drugs were made however it appears that the petitioner was not satisfied and consequently responded the same vide corrigendum/representation dated 08.12.2023 followed by filing of C.P. No.D-6187 of 2023, which petition was disposed of on 21.12.2023 with direction to pass speaking order on the representation/corrigendum, which speaking order was passed by the respondents on 03.04.2024 whereby it was observed that no corrigendum can be issued and/or the representation was dismissed. Against such speaking order on 22.04.2024 the petitioner filed an appeal before respondent No.4, which met the same fate in terms of order dated 28.06.2024 impugned in this petition. It is also pertinent to note that against the very speaking order the petitioner has also filed a petition No.2104 of 2024, which was subsequently withdrawn by the petitioner in terms of order dated 08.08.2024, perhaps on account of the

order already passed by respondent No.4 on 28.06.2024, as referred above.

The two impugned orders were precisely in accordance with Para 7 of the Drug Policy 2018 and decision taken in 93rd Meeting of the DRAP, which declined the annual price increase for the years in which petitioner did not apply, which is requirement of law.

Para 7(2)(i) of the Policy 2018 is framed in such a way that if price increase is not availed by any manufacturer within the time frame, then its benefits could be nullified to be availed later and it cannot be claimed. Relevant denial provision is already reproduced in the impugned order.

Hence in view of above, there is nothing which could enable us to intervene and allow us to exercise jurisdiction Article 199 of the Constitution of Islamic Republic of Pakistan, 1973. The petition is thus dismissed along with listed applications.

Chief Justice

Judge