IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. /2026
[@ SLP [C] NO.22380/2026]

CRYSTAL CROP PROTECTION LTD **Appellant(s)**

VERSUS

DHANUKA AGRITECH LTD & ORS. **Respondent(s)**

O R D E R

1. **Leave granted.**

2. **The present appeal has been filed assailing the impugned judgement dated 29.05.2026 passed by the Division Bench of the High Court of Delhi in LPA No. 215/2023, whereby, the decisions rendered by the statutory authorities under the Insecticides Act, 1968 (for short, the "1968 Act") granting Registration Certificate to the appellant under Section 9(3) of the 1968 Act, as confirmed by the learned Single Judge of the High Court were set aside. Consequently, *vide* the impugned judgement, the decision taken by the respondent No. 4 – Registration Committee in the 430th Meeting dated 23.07.2021 was also set aside.**

3. **The brief facts necessary for adjudication of the present appeal are stated hereunder:**

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Date: 2026.10.31 12:47:20 IST
Reason:

i. **The appellant – Crystal Crop Protection Ltd. had filed an application for grant of registration for**

indigenous manufacture of Halosulfuron methyl, as well as its import before the respondent No. 4- the Registration Committee under the 1968 Act. Accordingly, a Registration Certificate was granted to the appellant under Section 9(3) of the 1968 Act by the respondent No. 4 in the 430th Meeting dated 23.07.2021 (amended in the 431st meeting held on 27.08.2021) for the import of Halosulfuron methyl technical 98% min. and for indigenous manufacture of formulation of Halosulfuron methyl 75% WG, after thoroughly verifying records and credentials of the appellant, in various meetings.

ii. **Respondent No. 1 – Dhanuka Agritech Ltd. which is a commercial competitor of the appellant, preferred an Appeal-cum-Revision Petition against the said grant of registration certificate by seeking recourse to Sections 10 and 11 of the 1968 Act. The appeal/revision was dismissed by the Appellate/Revisionist Authority *vide* order dated 10.09.2021.**

iii. **Aggrieved, the respondent no. 1 preferred Writ Petition (C.) 10776/2021 against the order dated 10.09.2021 before the High Court of Delhi which met the same fate, as the learned Single Judge confirmed the orders passed by the statutory**

authorities in favour of the appellant while dismissing the writ petition *vide* judgement dated 24.01.2023.

iv. **The judgement rendered by the learned Single Judge was then assailed by the respondent No. 1 before the learned Division Bench wherein, the findings of the learned Single Judge were set aside and subsequently the registration certificate granted in favour of the appellant was quashed. Aggrieved by the said decision, the appellant is before this Court.**

4. **We have heard the learned Senior Counsel appearing for the appellant, learned Senior Counsel appearing for the private respondent/respondent No.1 and the learned Additional Solicitor General ('ASG') appearing for the respondent(s)- Union of India.**

5. **During the course of hearing before the Division Bench, the views of the Union of India were sought for. From a perusal of the records placed before this Court, we gather that not only the Compliance Affidavit, but written notes and arguments were also placed before the learned Division Bench. However, with the finding that the order facilitating the said compliance was not given effect to by the Union of India, despite the fact that it was duly carried on, the decision was rendered by exercising the power of**

judicial review.

6. **Though arguments have been made on merits by both the learned Senior Counsel appearing for the appellant-company and the private respondent-company, respectively, we are inclined to take into consideration the Compliance Affidavit filed by the respondent Nos. 2-4, Union of India in purported compliance of the orders dated 02.07.2026 and 21.09.2026 passed by this Court. We deem it appropriate to note the following relevant paragraphs:**

xxx xxx xxx

> **"12. In the present case the Petitioner's application was scrutinized thoroughly in the following manner to achieve satisfaction by the Respondent No. 4:**
>
> **I. The sample was tested at the Central Insecticide Laboratory to check for the quality and verify the composition claimed. In the present case, the sample submitted for Halosulfuron methyl technical 98% min. was received in Central Insecticide Laboratory on 11.07.2016 and was analyzed with a report given on 27.10.2016 that the composition was 98.53% pure.**
>
> **II. Scrutiny by chemistry discipline in respect to TI (New Source) wherein, various documents are studied.**
>
> **III. Scrutiny for bio-efficacy under Section 9(3) of the Act for TI (New Source) wherein, various documents are studied.**
>
> **V. Scrutiny for toxicology under Section 9(3) of the Act for TI (New Source) wherein, various documents are studied.**
>
> **V. Scrutiny for packaging under Section 9(3) of the Act for TI (New Source) wherein, various documents are studied.**

13. It is pertinent to mention here that Petitioner has also filed before RC (Respondent No.4) an agreement dated 08.12.2010 executed between M/s Jiangsu Agrochem Laboratory Co. Ltd., & M/S Fertiagro Pte Ltd., for supply of material, which also clearly establishes that the sample as procured from M/s Fertiagro Pte Ltd., was originally supplied by M/s Jiangsu Agrochem Laboratory Co. Ltd., to M/s Fertiagro Pte Ltd., only. Hence M/s Jiangsu Agrochem Laboratory Co. Ltd., being the original manufacturer of same, the alleged contention of M/s Dhanuka Agritech Ltd. that source is untested or same will be harmful to humans and animals or the question regarding its safety and efficacy is misplaced.

14. It is a matter of record that RC (Respondent No.4) while considering Petitioner's subject applications in its 429th meeting held on 24.06.2021, 28.06.2021 and 30.06.2021, noted at agenda items 6.1 and 6.30 (in the minutes of said meeting), that Petitioner's application for registration of Halosulfuron methyl technical 98% ww/min. (in Form 1) discloses a different source of import of technical as compared to the source of import mentioned while seeking a permit to import the RTT Sample (permit to import small quantity of insecticides for test and trials). In view of the same, Respondent No.4 directed Petitioner to make a presentation on the same in the next meeting to provide an explanation regarding the same. Accordingly, the Petitioner made a presentation in the 430th RC Meeting held on 23.07.2021 and provided an explanation and clarifications regarding the same. It is pertinent to mention here that RC Respondent No.4 in its 430th RC meeting, duly noted the explanations and clarifications provided by the Petitioner and only after duly considering the same and satisfying itself, it has granted the registration approval to Petitioner.

15. It is pertinent to mention here that RC vide agenda item no. 2.1 of its 430th meeting (as modified by 431 meeting agenda item no. 1.0) directed Petitioner to submit an affidavit to support the requirement of an agreement between M/s Fertiagro Pte Ltd., and M/s Jiangsu Agrochem Laboratory Co. Ltd., to establish the linkage for using the same technology and same manufacturing process as was used for supply of RTT sample. In view of same, Petitioner submitted the affidavit alongwith relevant documents which includes a letter dated 10.08.2021, by which M/s Jiangsu Agrochem Laboratory Co. Ltd., confirmed that they are the authorized manufacturer of Halosulflion methyl technical 98% min since 2011, when they received a temporary registration of Halosulfuron methyl technical 98% from Institute of the Control of Agrochemicals, Ministry of Agriculture (ICAMA) vide registration number LS20110312 (granted in 2011). The said temporary registration of M/s Jiangsu Agrochem Laboratory Co. Ltd., for Halosulfuron methyl technical 98% min was subsequently granted permanent registration number by ICAMA in the year 2013 vide registration number PD20132005. It is pertinent to mention here that Petitioner along with its affidavit also filed an agreement dated 08.12.2010 executed between M/s Jiangsu Agrochem Laboratory Co. Ltd., & M/s Fertiagro Pte Ltd., for supply of material, which also clearly establish that sample as procured from M/s Fertiagro Pte Ltd., was originally supplied by M/s Jiangsu Agrochem Laboratory Co. Ltd., to M/s Fertiagro Pte Ltd., only, hence M/s Jiangsu Agrochem Laboratory Co. Ltd., being the original manufacturer of same. Thus, the contentions as raised by M/s Dhanuka Agritech Ltd. are based upon mere surmises and conjectures without having any concrete evidence for same.

> **16. It is further pertinent to mention that source verification which is a mandatory requirement was done by the RC, Respondent No.4 and found satisfactory."**
>
> **xxx xxx xxx**

(emphasis supplied)

7. **Certainly, the power of judicial review over an Executive decision, especially one that involves challenge to grant of a license of a commercial competitor or a business rival, is rather limited.**

8. **In our considered view, the learned Division Bench of the High Court took the role of an Appellate Authority, while setting aside the registration certificate granted in favour of the appellant, by reversing the views expressed by the statutory authorities under the 1968 Act, as confirmed by the learned Single Judge. We further have our own reservations on the entitlement of the private respondent seeking recourse to file an appeal under Section 10 of the 1968 Act.**

9. **A perusal of Section 10 of the 1968 Act makes it clear, that it only facilitates an appeal against non-registration or cancellation. Section 10 of the 1968 Act reads as under:**

> **"10. Appeal against non-registration or cancellation.— Any person aggrieved by a decision of the Registration Committee under section 9 may, within a period of thirty days from the date on which the decision is communicated to him, appeal in the prescribed**

> **manner and on payment of the prescribed fee to the Central Government whose decision thereon shall be final:**
>
> **Provided that the Central Government may entertain an appeal after the expiry of the said period, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time."**

10. **Though, the learned Senior counsel appearing for the respondent No. 1 has placed reliance upon the expression *"any person aggrieved"* provided under Section 10 of the 1968 Act, the same can be applicable only to a case of non-registration or cancellation of registration of insecticides. In fact, Section 10 mandates a decision of non-registration or cancellation of registration of insecticides to be communicated on the person who is entitled to file the appeal.**

11. **Certainly, the private respondent before us cannot be termed as *"a person aggrieved"* to invoke the remedy of an appeal, as provided under Section 10 of the 1968 Act.**

12. **Thus, we find that both on merits and also on the principle of law, the impugned judgment passed by the High Court, cannot be sustained in the eyes of law.**

13. **Accordingly, the impugned judgement dated 29.05.2026 passed by the Division Bench of the High Court of Delhi in LPA No. 215/2023 stands set aside.**

14. **The appeal stands allowed, accordingly.**

15. **Pending application(s), if any, shall stand disposed of.**

.....J.
[M.M. SUNDRESH]

.....J.
[PRASANNA B. VARALE]

NEW DELHI;
OCTOBER 14, 2026.

ITEM NO.23 COURT NO.3 SECTION XIV

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

Petition(s) for Special Leave to Appeal (C) No(s). 22380/2026

[Arising out of impugned final judgment and order dated 29-05-2026 in LPA No. 215/2023 passed by the High Court of Delhi at New Delhi]

CRYSTAL CROP PROTECTION LTD Petitioner(s)

VERSUS

DHANUKA AGRITECH LTD & ORS. Respondent(s)
IA No. 185220/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 185221/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 14-10-2026 This matter was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) **Ms. Mukta Gupta, Sr. Adv.**
Mr. Gaurav Barathi, Adv.
Ms. Nitya Gupta, Adv.
Mr. B Vittal, Adv.
Ms. Kavya Arora, Adv.
Mr. Vishal Thakur, Adv.
Mr. Sarvesh Singh- 2094, AOR

For Respondent(s) **Mr. Shivam Goel- 4151, AOR**

Mr. Mukul Rohatgi, Sr. Adv.
Ms. Shobha Ramamoorthy, Adv.
Mr. Ankit Virmani, Adv.
Ms. Anindita Mitra, AOR
Ms. Devanshi Sharma, Adv.
Mr. Anshuman Mohanty, Adv.
Mr. Keshav Sehgal, Adv.
Mr. Akhil Mital, Adv.

Ms. Aishwarya Bhati, A.S.G.
Ms. Madhulika Upadhyay, AOR
Ms. Shreya Jain, Adv.
Mr. Arun Kumar Singh, Adv.
Ms. Sushma Verma, Adv.
Ms. Uma Prasuna Bachu, Adv.
Ms. Anupriya Srivastava, Adv.

Ms. Mitali Karwa, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeal stands allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(ASHA SUNDRIYAL) **(POONAM VAID)**
DEPUTY REGISTRAR **ASSISTANT REGISTRAR**

[Signed order is placed on the file]