

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.32004 OF 2022

Johnson & Johnson Pvt. Ltd.

...Petitioner

Versus

State of Maharashtra & Ors.

...Respondents

Mr.Ravi Kadam, Senior Advocate a/w Mr.Dr.Birendra Saraf,
Ms.Gowree Gokhale, Mr.Sahil Kanuga, Mr.Darren Punnen i/b
Nishith Desai Associates, for the Petitioner.

Mr.Milin V. More, AGP for Respondent-State.

**CORAM : S.V. GANGAPURWALA &
S.G. DIGE, JJ.**

DATE : 16 NOVEMBER 2022

P.C:-

1. On the last date we have heard Mr.Kadam, the learned Senior Counsel for the Petitioner and the learned AGP.

2. It was expressed that the samples be sent for testing in the lab.

3. Today the learned AGP placed on record the information of the laboratories in the State of Maharashtra.

4. Considering the above we pass the following order.

ORDER

(i) The Respondent No.2 shall collect four samples from the factory of the Petitioner at Mulund, Mumbai.

(ii) The samples shall be collected and sealed in the presence of the representative of the Petitioner by the Respondent No.2 and or his Officer.

(iii) The samples shall be sent to the following Laboratories:-

(a) Central Drugs Testing Laboratory, West Zone, 4th Floor Zonal FDA Bhawan, GMSD Campus, Bellasis Road, Mumbai Central, Mumbai, Maharashtra-400008

(b) Food and Drugs Administration Laboratory, Survey No.341, Bandra-Kurla Complex, Bandra (E)-400051.

(c) M/s.Intertake India Pvt. Ltd., F-Wing, Tex Center, 3rd Floor, Chandivali Farm Road, 301/302 off Saki Vihar Road, Andheri(W), Mumbai.

(iv) The samples shall be collected within three days from today by the Respondent No.2 with the intimation to the Petitioner and thereafter sent to the aforesaid laboratories within three days for carrying out the necessary test and the report shall be submitted by

the Laboratory preferably within a week from the date of the receipt of samples.

(v) The reports shall be submitted as per the standard norms applicable.

(vi) Place the matter on 30 November 2022.

(vii) The Petitioner may manufacture the Jhonson baby powder at its own risk.

(viii) In the impugned order the Petitioner is already refrained from selling, distributing the said Johonson baby powder to the distributors and consumers.

(ix) The learned Senior Counsel for the Petitioner assures to abide by the said condition.

(S.G. DIGE, J.)

(S.V. GANGAPURWALA, J.)