

Supreme Court

Writ Section

Room No. 9

Writ -8

Reference: 3813

Writ No. 068 –WS -0022, and others

Date: 2070/09/17 [01 January 2014 AD]

Sub: Regarding the dispatch of information about the judgment

To,

The Ministry of Health and Population, National Health Education
Information and Communication Center, Pachali Teku, Kathmandu

In connection to the above, we are in receipt of a letter dated 2070/09/17 [[01 January 2014 AD]] bearing dispatch no. 631 sent from your office requesting us to send information regarding the judgment made on 2070/09/14 [29 December 2013 AD] upon the writ petition No. 068-WS-0022, including the writ of Certiorari (petitioner Surya Nepal Pvt. Ltd. Versus Government of Nepal, Cabinet, Office of the Prime Minister and Cabinet, Singhadurbar, and others). Now, this is to inform you that after duly forwarding the said letter to the concerned, it was informed by the concerned officer of the court that “regarding the writ petition filed by the Managing Director, Sanjeev Keswa representing Surya Nepal Pvt. Ltd. in the writ of Surya Nepal Pvt. Ltd. Versus Government of Nepal, Cabinet, Office of the Prime Minister and Cabinet, including certiorari writ of Mandamus (No. 068-WS-0022), it was decided that the Tobacco Products (Control and Regulation) Act – 2068 as stated in the writ petition including the Rules, Regulations and Directives under the said Act cannot be termed as unconstitutional and cannot be cancelled, and hence the writ petition was being rejected.

And, regarding the writ petition filed by Lokendra Kumar Shrestha and others representing Organization for Eradication of Cancer in the writ of Organization for Eradication of Cancer Versus Government of Nepal, Cabinet, Office of the Prime Minister and Cabinet, including writ of Mandamus (No. 068-WO-0383), decision was made to issue mandamus in the name of the opponents ordering not to stop the implementation of said Rules and Directives under Tobacco Products (Control and Regulation) Act – 2068, and to carry on its effective implementation, and hence the judgment was accordingly made by the special session of this court on 2070/01/14 [29 December 2013 AD] whose complete details is being prepared taking some time to complete”

..... sd/
Section Officer