

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

TRANSFER APPEAL(AT)(COMPETITION) NO. 03 OF 2017
(OLD APPEAL NO. 44 OF 2016)

IN THE MATTER OF:

M/s Eli Lilly and Company	..	Appellant
Vs		
Competition Commission of India	..	Respondent

Present:

For Appellant: **Mr. Amit Sibal, Senior Advocate assisted by Mr. Manas Kumar Choudhari, and Mr. Aman Singh Baroka, Advocates**

For Respondent: **Mr. Abhimanyu Verma, Advocate**

O R D E R

08.02.2018 The question arises for consideration in this appeal is whether the ‘combination’ in questions relates to the common relevant market in India or two separate markets i.e., i) Human Health Business market or ii) Animal Health Business market or both.

 If the ‘combination’ in question relates to two separate relevant markets, in such case whether provision of Section 6 of Competition Act, 2002 shall be attracted or not. If it is answered in positive, then the question will arise whether the Appellant is entitled to derived benefit granted by Central Government or not.

Heard Mr. Amit Sibal, learned Senior Advocate appearing on behalf of the Appellant. Hearing remains inconclusive.

Post the matter for further hearing on **19th February, 2018.**

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

Akc/Gc.