

Vidya Jyoti College Of Pharmacy vs Pharmacy Council Of India on 15 March, 2023

Author: Purushaindra Kumar Kaurav

Bench: Purushaindra Kumar Kaurav

\$~49, 52, 54, 56, 57 and 59

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 3148/2023

VIDYA JYOTI COLLEGE OF PHARMACY

..... Pet

Through: Mr. Sanjay Sharawat, Mr. A
Kumar and Mr. Nadeem Khan,
Advocates.

Versus

PHARMACY COUNCIL OF INDIA

..... Res

Through: Mr. Rana Prashant and Mr.
Choudhary, Advocates.

+ W.P.(C) 3186/2023

MAMTA COLLEGE

..... Pet

Through: Mr. Ravi Kant and Mr. Maya
Manish, Advocates.

Versus

PHARMACY COUNCIL OF INDIA

..... Res

Through: Mr. Rana Prashant and Mr.
Choudhary, Advocates.

+ W.P.(C) 3188/2023

S R COLLEGE OF PHARMACY

..... Pet

Through: Mr. Sanjay Sharawat, Mr. A
Kumar and Mr. Nadeem Khan,
Advocates.

Versus

PHARMACY COUNCIL OF INDIA

..... Res

Through: Mr. Rana Prashant and Mr.
Choudhary, Advocates.

+ W.P.(C) 3192/2023

A K COLLEGE OF PHARMACY

..... Pet

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Signing Date:18.03.2023
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Through: Mr. Sanjay Sharawat, Mr.
Kumar and Mr. Nadeem Kha
Advocates.

Versus

PHARMACY COUNCIL OF INDIA
Through: Mr. Rana Prashant and Mr. Choudhary, Advocates.

+ W.P.(C) 3193/2023
AABAN COLLEGE OF PHARMACY
Through: Mr. Abhishek Singh and Mr. Priyanka Madavaram, Adv

Versus
PHARMACY COUNCIL OF INDIA THROUGH ITS MEMBER SECRETARY Respon
Through: Mr. Rana Prashant and Mr. Aksh Choudhary, Advocates.

+ W.P.(C) 3195/2023
ADVANCE COLLEGE OF PHARMACY Petiti
Through: Mr. Ravi Kant and Mr. Mayank Manish, Advocates.

Versus
PHARMACY COUNCIL OF INDIA
Through: Mr. Rana Prashant and Mr. Choudhary, Advocates.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV
ORDER

% 15.03.2023

1. Learned counsel appearing on behalf of the parties are in consensus that the issue involved in the present petitions has already been decided by this court vide order dated 19.01.2023, passed in W.P.(C) 422/2023.

2. It is to be noted that in view of the decision of the Hon'ble Supreme Court in the case of Parshavanth Charitable Trust v. All India Council of Tech. Edu & Ors.,¹ the last date for grant of permission to open Pharmacy course is 10th April of each year. The Pharmacy Council of India (PCI) follows the same timeline. If the petitioner-institutions are unable to get the permission before 10.04.2023, they would not be able to admit the students in the Academic Session 2023-2024. They, therefore, state that after passing of the order on 19.01.2023, sufficient time has passed and to meet the timeline prescribed by the Hon'ble Supreme Court, the PCI be directed to take the decision not beyond, 30.03.2023, so that in case any adverse decision is taken, the petitioners-institutions would be able to avail appropriate remedy in the meantime.

3. I have considered the submissions made by the petitioners- institutions. The directions passed by this court in the order dated 19.01.2023, deserves different timelines to be adhered to by the respective parties. Accordingly, these petitions are disposed of with the following directions:-

(i) The impugned decision rejecting the application of the petitioners-institutions is hereby, set aside.

(ii) PCI is directed to point out the deficiencies with respect to the petitioners-institutions through its concerned representative, within a period of two weeks from today along with the inspection report.

(iii) After receipt of the communication from the PCI, the petitioners-institutions are granted five days' time to submit their explanation along with relevant documents.

(iv) Depending upon the submission/explanation to be made by the petitioners-institutions, the PCI is directed to take a final decision with respect to grant or non-grant of approval for the Academic Session 2023-2024, on or before 10.04.2023.

(v) The petitioners-institutions thereafter, if aggrieved by the decision of the PCI would be entitled to take appropriate recourse in accordance with law.

4. Accordingly, the petitions stand disposed of.

PURUSHAINDRA KUMAR KAURAV, J MARCH 15, 2023/p Click here to check corrigendum, if any
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