

Court No. - 10

Case :- WRIT - C No. - 37841 of 2023

Petitioner :- C/M Shri Vashisth Narayan Karwariya Mahavidyalay
And Others

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Suresh Chandra Dwivedi

Counsel for Respondent :- C.S.C,Vaibhav Tripathi

Hon'ble Kshitij Shailendra,J.

1. Heard Sri Suresh Chandra Dwivedi, learned counsel for the petitioners, learned Standing Counsel for respondent nos. 1, 2, 4 and 5, Sri Anant Tiwari, Advocate, holding brief of Sri Vaibhav Tripathi, learned counsel for respondent no.3 and perused the record.

2. A 'No Objection Certificate' issued by Pharmacy Council of India in favour of the petitioners has been cancelled by the State Government by order impugned dated 18.5.2023.

3. Learned counsel for the petitioners submits that recently identical orders were issued by the State Government to various institutions who approached the Lucknow Bench of this Court by filing various writ petitions leading writ petition being Writ-C No. 4953 of 2023 and the Lucknow Bench, after extensively dealing with all the aspects of the matter and having found that the entire proceedings were ex-parte and the principles of natural justice were utterly violated, disposed of the writ petitions by judgment and order dated 22.9.2023 directing the State Government to take action in accordance with law.

4. Learned Standing Counsel submits that this writ petition may also be disposed of on the same footings.

5. In view of above, considering the nature of the orders impugned and the judgment of the Lucknow Bench, this writ petition is **disposed of** with the following directions:

(i) The impugned letter dated 18.05.2023 issued by the Secretary of the Board and consequential order, if any, in reference to the impugned letter dated 18.05.2023 are hereby **quashed**.

(ii) Liberty is granted to the State Government/Board to take action on the issue, in accordance with law.

(iii) If the State Government/Board refers any issue in respect of the petitioners/institutions to the PCI, this Court hopes and trusts that the PCI shall make an earnest endeavour to consider and decide the same, in accordance with law, after affording opportunity to the aggrieved person(s) expeditiously.

Order Date :- 9.11.2023

CS/-