

Court No. - 8

Case :- WRIT - C No. - 8750 of 2023

Petitioner :- Sunder Lal Memorial, Welfare Educational Society, Lko. Thru. Auth. Signatory Sri Abhishek Srivastava

Respondent :- State Of U.P. Thru. Prin. Secy., Deptt. Of Technical Education, Lucknow And 2 Others

Counsel for Petitioner :- Paavan Awasthi

Counsel for Respondent :- C.S.C., Ravi Singh

Hon'ble Pankaj Bhatia, J.

1. The present writ petition has been filed with the following prayer:

"a. Issue writ, order or direction in the nature of certiorari quashing the order dated 27.12.2022 passed by the opposite party no. 2, i.e., the Board of Technical Education, cancelling the no-objection certificate dated 14.07.2022 granted to the petitioner institution, true copy of which is annexed Annexure No. 1 to this writ petition:

b. Issue a writ, order or direction in the nature of mandamus. commanding the opposite party no. 2, Board of Technical Education to restore the no-objection certificate/consent of affiliation dated 14.07.2022 granted to the petitioner's institution and not to give effect to the order dated 27.12.2022;

c. Issue a writ, order or direction in the nature of mandamus commanding the opposite party no. 2, i.e., the Board of Technical Education to grant the requisite affiliation to the petitioner's institution for its D. Pharma Course as per the approval granted by the Pharmacy Council of India,

d. Issue a writ, order or direction in the nature of mandamus commanding the opposite party no. 2, i.e., the Board of Technical Education to allow the petitioner's institution to take part in counselling and to take admission on 60 Seats in D. Pharma Course for the academic session 2023-24 as per the approval granted by the Pharmacy Council of India;"

2. As regards the challenge to the order dated 14.07.2022 contained in Annexure-1, the same has lost its efficacy. As of now, the petitioner is seeking the affiliation for the academic year 2023-24. The said issue is squarely covered by the judgment of this Court dated 27.09.2023 passed in ***HMS College of Pharmacy and another vs State of U.P. and others*** (Writ-C No.8389 of 2023).

3. In view thereof, the present writ petition is ***disposed off*** with directions to the respondent no.2 to take a decision on the application of the petitioner preferred for affiliation for the academic session 2023-24 in the light of the directions

contained in the case of *HMS College of Pharmacy (supra)* with all expedition preferably within a period of three weeks from today.

Order Date :- 16.10.2023

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