



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 15693 OF 2023 (EDN-RES)

BETWEEN:

1. PRIYADARSHINI COLLEGE OF PHARMACY
NEAR GOVENMENT FIRST GRADE COLLEGE,
HANUMANTHA RURA, KORATAGERE,
TUMKUR DISTRICT - 572 129,
REPRESENTED BY ITS PRINCIPAL,
MR P S MINHAS,
S/O MR. B.S.MINHAS, AGED: 51 YEARS.
2. PRAKRUTHI COLLEGE OF PHARMACY
MADHUGIRI ROAD, HANUMANTHA RURA,
KORATAGERE, TUMKUR DISTRICT - 572 129,
REPRESENTED BY ITS PRINCIPAL,
MR CHANDERSHEKHARAPPA B V,
S/O BYRAPPA V, AGED: 49 YEARS.

...PETITIONERS

Digitally signed by
CHAYA S A

Location: HIGH
COURT OF
KARNATAKA

(BY SRI. ABHISHEK MALIPATIL., ADVOCATE)

AND:

1. STATE OF KARNATAKA
MINISTRY OF HEALTH AND FAMILY WELFARE,
DEPARTMENT NO.341, VIDHANA SOUDHA,
BENGALURU - 560 001
REPRESENTED BY ITS SECRETARY.
2. BOARD OF EXAMINING AUTHORITY
DRUGS CONTROL DEPARTMENT,
C/O GOVERNMENT COLLEGE OF PHARMACY,



SUBBAIAH CIRCLE, P KALINGA RAO ROAD,
BENGALURU - 560 027
REPRESENTED BY ITS MEMBER SECRETARY

...RESPONDENTS

(BY SMT.SUKANYA BALIGA.B., AGA)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASHING THE
IMPUGNED ORDER NO.2023-24 DATED 12/05/203 PASSED BY
THE R2 ALONG WITH THE MINUTES OF THE PROFESSIONAL
MISCONDUCT ENQUIRY COMMITTEE DATED 12/05/2025 VIDE
ANNEXURE-F AND THEREBY SET ASIDE ALL FURTHER
PROCEEDINGS THEREWITH, ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY
HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE
THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

Heard Sri.Abhishek Malipatil, learned counsel
appearing for the petitioners and Smt.Sukanya Baliga.B.,
learned Additional Government Advocate appearing for the
respondents.



2. In this writ petition, the petitioner is assailing the order dated 12.05.2023 passed by Respondent No.2 (Annexure-F), wherein, penal action has been initiated against the petitioners herein, on account of alleging malpractice in the examination conducted in March-2022, Part I, D-Pharmacy annual examination.

3. Noted the finding recorded by the Minutes of the 'Professional Misconduct Enquiry Committee' at Annexure-F dated 12.05.2023, after issuance of notice to the petitioners herein, the reply has been made by them. However, the same was rejected by the respondent-authorities. On careful consideration of the finding recorded by the minutes of the meeting dated 12.05.2023, it is forthcoming that, the empty answer scripts were stored by the petitioners, being the Chief Superintendent and the same has been utilized by the two institutions, which are situated adjacent and therefore, I am of the view that the said allegation made against the petitioners cannot be considered as essentiality or basis to the



malpractice being alleged in the said examination. In that view of the matter, the action taken against the petitioners herein, pursuant to the minutes of the meeting dated 12.05.2023 is erroneous and the same cannot be accepted. It is also to be noted that the respondent-authorities have given a notice produced at Annexures-R1 and R2, wherein, the same is not connected with the allegations made against the petitioners herein as to the error committed therein with regard to the sending the empty answer scripts to the two of its institutions, if so. It is also forthcoming from Annexure-B, wherein, multiple colleges have been conducting the examination as per the Notification dated 22.12.2022. In that view of the matter, I am of the opinion that the allegation made against the petitioners herein cannot be considered as a malpractice alleging such harsh action imposed against the petitioners by the respondents. Accordingly, I pass the following:



ORDER

- i) The Writ Petition is ***allowed***.
- ii) The impugned order dated 12.05.2023, recording the minutes of the meeting passed by Respondent No. 2 against the petitioners at Annexure-F is accordingly set aside.

**Sd/-
(E.S.INDIRESH)
JUDGE**

DH
List No.: 1 Sl No.: 47