

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8646 OF 2016

Shree Chanakya Education Society and anr. ..Petitioners.
Versus
State of Maharashtra & others. ..Respondents.

Mr. Nitin S. Dhumal, advocate for the petitioners.
Mr. P. P. Kakde, learned AGP for the State.
Mr. Rajendra Anubhule, advocate for respondent No. 4.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
Date : **July 26, 2016.**

P. C. :

1. Heard Mr. Dhumal, learned counsel for the petitioners and Mr. Kakde, learned AGP for the State.
2. Admittedly, petitioner No.2 has been granted approval by respondent No.5 – Pharmacy Council of India (for short “the PCI”) by the order dated 19th July, 2016 to conduct / Pharm. D. course in pharmacy(Doctor of Pharmacy) with 30 intake capacity from the academic year 2016-2017.

3. The petitioner - College thereafter applied to respondent nos.1 and 2 for consequent approval and for issuance of G.R., in order to enable them to conduct the said course in the academic year 2016-17. Respondent nos.1 and 2 so far have not granted the approval or issued the G.R. and consequently respondent No.4-University is also unable to grant affiliation to the said course. Hence, the petitioners have approached this court.

4. Learned AGP does not dispute that issuance of the G.R. by respondent No.1 once the PCI has granted approval to the course is mere formality.

5. Learned Counsel appearing for respondent No.4-the University states that within a week from the date of receipt of GR from respondent No.1, University will grant affiliation to the petitioner's college.

6. In above circumstances, Mr. Kakde, learned AGP having taken instructions from the officer, makes a statement

that the petitioner - College will be allowed to participate in the CAP for the afore-mentioned course with 30 intake capacity for the academic year 2016-17, which is likely to commence shortly. The statement is accepted as an undertaking to this Court.

7. In the light of above, we dispose of this writ petition with a direction to respondent No.1 to expedite the process of issuance of the G.R regarding approval to the petitioner's institute for the course of degree in pharmacy for the academic year 2016-17. That be done as expeditiously as possible and, at any rate, within a period of two weeks from today. Respondent No.4-University thereafter within a week shall grant affiliation to the said course run by the petitioner. The name of the petitioner institute shall be uploaded on the website for the CAP process.

8. The writ petition stands disposed of.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]