

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9118 OF 2019

Kai Yashodabai Dagdu Saraf Charitable
Trust's College of Pharmacy through
Its Principal .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri V. D. Hon, Senior Advocate i/by Shri A. V. Hon, Advocate for
the Petitioner.

Shri V. M. Kagane, A.G.P. for Respondent Nos. 1 and 2.

Shri Y. B. Bolkar, Advocate for the Respondent No. 3.

Shri S. V. Adwant, Advocate for the Respondent No. 4.

Shri S. B. Deshpande, A.S.G. for the Respondent No. 5.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 30TH JULY, 2019.

FINAL ORDER :

. Mr. Hon, the learned senior advocate for the petitioner submits that, the AICTE has approved intake capacity of 18 students for P. G. Pharmaceutics and P.G. Quality Assurance Techniques from academic year 2011-2012 and 2012-2013 respectively. The learned senior advocate submits that, for the academic year 2019-2020, AICTE has sanctioned intake capacity of 18 students for both the P. G. courses of Pharmaceutic and

Quality Assurance Techniques. The Director of Technical Education has shown intake capacity of petitioner for both P. G. courses as 06 students. The learned senior counsel submits that, as AICTE has already granted intake capacity of 18 students, the petitioner is entitled for intake capacity of 18 students. The learned senior counsel relies on the order of the Apex Court in a case of **Orissa Technical Education Vs. AICTE**.

2. Mr. Deshpande, the learned A. S. G. submits that, Pharmacy Council of India has considered all the aspects and has rightly considered case of the petitioner for intake capacity of 06 students.

3. We have also heard the learned counsel for other respondents.

4. As per the AICTE, the AICTE has sanctioned intake of 18 students to both the PG courses for the academic year 2019-2020.

5. The petitioner had made a representation on 13.07.2019 to the Pharmacy Council of India to the effect that required intake is of 15 students for P. G. Pharmaceutic and Quality Assurance Techniques.

6. Considering the fact that, last year also 15 intake capacity

was granted to the petitioner and as there is no deficiency pointed out and the AICTE has sanctioned intake capacity of 18 students each that is M. Pharm Pharmaceutic and M. Pharm Quality Assurance Techniques, we pass following order.

7. The respondent No. 3 shall allow the petitioner college intake capacity of 15 students for M. Pharm Pharmaceutic and M. Pharm Quality Assurance Techniques subjects for the academic year 2019-2020.

8. With these observations writ petition is disposed of. No costs.

9. Parties to act on authenticate copy.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/July 19