

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.418 of 2021

In
Civil Writ Jurisdiction Case No.8222 of 2020

=====

The State of Bihar through the Principal Secretary, Health Department, Bihar,
Patna.

... .. Appellant/s

Versus

1. Kusum Raj Institute of Pharmacy Moriyawan Datiyana, Bikram, P.O. - Bikram, District- Patna, Pin - 801104 through its Chairman, Dr. Amrendra Kumar, Male, aged about 51 years, son of Rajdeo Sharma, resident of A/9, Kusum Raj, Kasturbanagar, Near Bazar Samiti, Mahendru, Sampatchak, P.O. - Mahendru, District- Patna, Pin - 800006.
2. Kurma Sanskriti Institute of Pharmaceutical Science, Kurma, P.O. - Kurma, District- Jehanabad, Pin - 804408 through its Secretary, Shri Shankar Kumar, Male, aged about 54 Years, Son of Bangali Singh, resident of J- 189, P.C. Colony, P.O. - Lohiya Nagar, P.S. - Kankarbagh, District- Patna, Pin - 800020.
3. Sundaram Institute of Medical Science, Gaurichak, P.O. - Gaurichak, District Patna, Pin - 800007 through its Secretary, Shri Shankar Kumar, Male, aged about 54 years, Son of Bangali Singh, resident of J- 189, P.C. Colony, P.O. - Lohiya Nagar, P.S. - Kankarbagh, District- Patna, Pin - 800020.
4. Magadh Institute of Pharmacy, Nasriganj, Danapur, P.S. - Danapur, District Patna, Pin - 801503, through its Secretary, Shri dinesh Kumar, Male, aged about 48 years, son of Basant Lal, resident of Kabarsthan Road, Nasriganj, Digha, P.S. - Danapur, District- Patna, Pin - 800012.
5. Vivekanand Institute of Pharmacy, Mukrera, NH- 85, VIP Golambar, District- Saran, Pin - 841301 through its Director, Shri Rahul Raj, Male, aged about 31 years, son of Shri Bipin Kumar Singh, resident of V.I.P. Golambar, V.I.P. School, Mukrera, District- Saran, Pin - 841301.
6. J.P. College of Pharmacy, NH- 31, At Biyabani, Maghra, Biharsharif, Near Golapur Airport, Village - Biyabani, Post - Maghra, District- Nalanda - 803101 Secretary, Shri Shailesh Kumar, son of Late Yugeshwar Prasad, resident of Main Road, Rana Pratap Nagar, Chas, District- Bokaro, Jharkhand.

Respondents / petitioners

7. Pharmacy Council of India, New Delhi through its Sec
8. Chairman, Pharmacy Council of India, New Delhi.
9. Registrar - cum- Secretary, Pharmacy Council of India, New Delhi.
10. Aryabhatta Knowledge University, Patna through its Registrar.
11. Vice Chancellor, Aryabhatta Knowledge University, Patna.
12. Registrar, Aryabhatta Knowledge University, Patna.

... .. Respondent/s

=====

with

Letters Patent Appeal No. 637 of 2021
In
Civil Writ Jurisdiction Case No.7599 of 2020

-
-
1. The State of Bihar through the Principal Secretary, Health Department, Health Medical Education and Family Welfare, Patna.
 2. The Director-in-Chief, Health Services, Bihar, Patna.

... .. Appellant/s/Respondents

Versus

1. Rajendra Kishori Pharmacy College Sai Baba Educational Trust, Vill.- Sughari, Post - Sughari, Dist.- Siwan, Bihar - 841406 through the Chairman Arun Kumar Singh, male, aged about 51 years, S/o Late Rama Shankar Singh, R/o LF/38, Boring Road, Sri Krishna Puri, P.S.- S.K. Puri, Patna, Bihar - 800001.
2. Sai College of Pharmacy, Nav Nirman Education Trust, Vill - Onama, Post - Onama, Dist. - Shekhpura, Bihar - 811101 through the Chairman-cum-M.D. Anjesh Kumar, male, aged about 46 years, S/o Vinay Singh, R/o Flat No. 301, Bhagwati Vaishno Apartment, West Boring Canal Road, Buddha Colony, P.S.- Buddha Colony, Patna, Bihar - 800001.
3. Shakuni Choudhary College of Health and Sciences, Samrat Educational Welfare Trust, Tarapur, SH- 22, Parvati Nagar, P.O.- Lakhanpur, Dist. - Munger, Bihar - 813201 through the Secretary Dharmendra Kumar, male, aged about 36 years, S/o Shakuni Choudhary, R/o 47, Kautliya Nagar, B.M.P. Road, Near Police Nirman Vibhag, B.P. College, P.S.- Airport, Patna, Bihar – 800014.
respondents / petitioners
4. The Secretary, Health and Family Welfare Ministry, Government of India, Room No. 348, A Wing, AHS Section, NIRMAN Bhawan, New Delhi - 11.
5. The Controller of Examination, Diploma in Pharmacy, Department of Health Medical Education, Patna.
6. The Vice Chancellor, Aryabhatta Knowledge University, Gyan Parishar, Mithapur, Patna.
7. The Registrar, Aryabhatta Knowledge University, Gyan Parishar, Mithapur, Patna.
8. The Chancellor of Universities, Bihar Raj Bhawan, Patna.
9. Pharmacy Council of India through its Registrar-cum-Secretary, NBCC Centre, 3rd Floor, Plot No. 2, Community Centre, Maa Anandmai Marg Okhla Phase I, New Delhi- 110020.

... .. Respondent/s

with
Letters Patent Appeal No. 639 of 2021
In
Civil Writ Jurisdiction Case No.7437 of 2020

1. The State of Bihar through the Principal Secretary, Health Department,

Bihar, Patna.

2. The Principal Secretary, Education Department, Government of Bihar, New Secretariat, Vikash Bhawan, Patna.
3. The Director, Higher Education, Government of Bihar, New Secretariat, Vikash Bhawan, Patna.
4. The Principal Secretary, Health Medical Education and Family Welfare Department, Government of Bihar, New Secretariat, Vikash Bhawan, Patna.
5. The Director in Chief, Health Medical Education and Family Welfare Department, Government of Bihar, New Secretariat, Vikash Bhawan, Patna.
6. The Director Science and Technology Department, Government of Bihar, New Secretariat, Vikash Bhawan, Patna.

... .. Appellant/s/Respondents

Versus

1. Sai Dev Charitable Trust Plot No. 4th Mile Stone, Street/Road-Mairwa Darauli Road, Village-Shyamvedi, Post Office-Karom, Via-Mairwa, Police Station-Darauli, District-Siwan, through its Chairman Arvind Kumar Singh, aged about 63 years, Gender-Male, son of Late Jamuna Prasad Singh, resident of Village-SE-72, Shastri Nagar, Near Nehru World School, Ghaziabad, Kavi Nagar, Uttar Pradesh-201002.

Respondent / petitioner

2. The Pharmacy Council of India, NBCC Centre, 3rd Floor, Plot No.-2, Community Centre, Maa Ananda Marg, Okhla Phase-1, New Delhi-110020.
3. The Registrar-cum-Secretary, Pharmacy Council of India, NBCC Centre, 3rd Floor, Plot No.-2, Community Centre, Maa Ananda Marg, Okhla Phase-1, New Delhi-110020.
4. The Aryabhatta Knowledge University, Chanakya Law University Campus, Mithapur, Patna through its Vice Chancellor.
5. The Vice Chancellor, the Aryabhatta Knowledge University, Chanakya Law University Campus, Mithapur, Patna.
6. The Registrar (Admin), the Aryabhatta Knowledge University, Chanakya Law University Campus, Mithapur, Patna.

...Respondents ... Respondent/s

Appearance :

(In Letters Patent Appeal No. 418 of 2021)

For the Appellant/s : Mr. Ajay Behari Sinha (GA 8)
Mr.Suryakant Kumar (A.C. To G.A.8)

For the Respondent/s : Mr.Suman Kumar,Advocate

(In Letters Patent Appeal No. 637 of 2021)

For the Appellant/s : Mr. Ajay Behari Sinha (GA 8)
Mr.Suryakant Kumar (A.C. To G.A.8)

For the Respondent/s : Mr.Dr. K.N. Singh (Asg)

(In Letters Patent Appeal No. 639 of 2021)

For the Appellant/s : Mr. Ajay Behari Sinha (GA 8)
Mr.Suryakant Kumar (A.C. To G.A.8)

For the Respondent/s : Mr.Anand Kumar Ojha, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)
(The proceedings of the Court are being conducted through
Video Conferencing and the Advocates joined the proceedings
through Video Conferencing from their residence.)

Date : 31-01-2022
These LPAs have been filed for setting aside the order
dated 05.04.2021 passed in CWJC No.7437 of 2020 and other
analogous matters.

Learned counsel for the petitioners seek permission to
withdraw the present appeals as it has become infructuous.

Permission is granted.

Present appeals stand dismissed as withdrawn having
become infructuous.

Interlocutory application, if any, also stands dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA