

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P (C) No.15792 of 2018

***Bijoyini Institute of Pharmaceutical
Education & Research***

.....

Petitioner

Mr.D.K.Mohapatra, Adv.

Vs.

State of Odisha and another

.....

***Opposite Parties
State Counsel***

CORAM:

**DR. JUSTICE B.R. SARANGI
MISS JUSTICE SAVITRI RATHO**

**ORDER
09.05.2022**

Order No.

18.

This matter is taken up through hybrid mode.

2. Since the claim for grant of NOC in favour of the petitioner's institution for starting D.Pharm course for the academic session 2018-19 has already been expired by efflux of time, the writ petition has become infructuous.

3. The petitioner has filed an additional affidavit stating therein that the Govt. of Odisha has issued a notification dated 10.12.2018 wherein it has been decided to grant NOC in favour of the institution imparting D.Pharm course with the following effect:

“After careful consideration of the gap analysis report of the Committee constituted to examine the issue of permission for opening of DMLT/DMRT and D. Pharm. Institutions in the different districts of the State, the Government have been pleased to decide as follows:-

(i) NOC will be issued in favour of the institutions for imparting the DMLT/DMRT/D.Pharm. courses situated in the districts which have not met the minimum requirement of the institutions in the districts as per the population norms.

(ii) In case of the districts, where the number of existing

DMLT/DMRT and D.Pharm. institutions matches or exceeds the requirement as per population norms, no NOC shall be given in favour of the institutions for imparting teaching in above courses.

(iii) Provided that, in exigencies of public interest and whenever it is felt necessary, the Govt. may relax the stipulation at para-ii above and may issue NOC for opening of institution for imparting above course.”

4. In such view of the matter, if any cause of action still survives, the petitioner is at liberty to pursue its remedy before the appropriate forum, if it so advised.

5. Accordingly, the writ petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE



Arun/Bichi