

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 34818 of 2022

*Kalinga Bharati Foundation,
BBSR & Another*

Petitioners

Mr. B.P.Das, Advocate

Vs.

Union of India & Others

Opposite Parties

Mr.B.Moharana, CGC along with

Mr. P.K.Parhi, DSGI

Mr. R.C.Mohanty, Advocate for O.P.No.3.

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

20.12.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard.

3. The present Writ Petition has been filed with the following prayer:-

“ It is therefore, prayed before this Hon’ble Court may graciously be pleased to admit the writ petition, issue notice to the Opposite Parties and after hearing the Parties be pleased to issue RULE NISI calling upon the Opposite Party Authorities to show cause as to despite of the apex court judgment and this Hon’ble Court order at Annexure-21 Series the Petitioner has not been granted NOC even after the fulfillment of each and every criteria for the issuance of NOC;

And if the Opposite Parties failed to show cause or show insufficient cause, the said rule be made absolutely;

And further be pleased to direct the Opposite Parties more particularly Opposite Party No.2, 3 & 4 to allow the Petitioner’s representations dated 30.09.2022 under Annexure-22 Series.

And also be pleased to direct the Opposite Party No.1 & 7 to provide Web Portal ID as prayed under Annexure-8 before the opposite party no.6 and allow the Petitioner's application of Standard Inspection Format (SIF-C) U/s.12 of Pharmacy Act, 1948 to open B. Pharma and D. Pharma courses for the Academic Year 2022-23 and the delay attributed by the authorities in providing mandatory prerequisite documents shall not Bar the admissibility of the application and the petitioner shall not suffer due to such delay”.

4. In course of hearing, learned counsel for the Petitioners states that highlighting their grievance, the Petitioners have made representation to Opposite Party No.2 vide Annexure-22-Series and the same may be directed to be considered within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.2 to consider the representation filed by the petitioners vide Annexure-22-Series, and pass appropriate order in accordance with law within a period of four weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

Ashok/Subrat

(B. P. SATAPATHY)
JUDGE