

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

912 CIVIL APPLICATION NO.16262 OF 2022  
IN WP/11862/2019

OM SAI PRATISHTHANS VARAD COLLEGE OF PHARMACY THROUGH  
ITS PRESIDENT SHANKAR KISANRAO KAWAD  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND  
OTHERS

Mr.P.N.Khedkar, Advocate for the applicant.  
Ms.R.P.Gaur, AGP for respondent No.1.  
Mr.S.B.Deshpande, Advocate for respondent No.3.  
Mr.C.V.Dharurkar, Advocate for respondent No.2.

( CORAM : RAVINDRA V. GHUGE AND  
SANJAY A. DESHMUKH, JJ.)

DATE : DECEMBER 09, 2022

PER COURT :

1. The learned Advocate for the applicant has placed reliance upon the order dated 21.10.2022 passed by the Hon'ble Supreme Court in WP (Civil) No.888/2022 filed by N.K.College of Pharmacy and others Vs. Pharmacy Council of India and others with WP No.847/2022.

2. The learned Advocate for the applicant, who is the original petitioner in disposed of petition No.11862/2019, places reliance upon

the following paragraphs of the order dated 21.10.2022 ;

*" Learned Solicitor General fairly states that if an affidavit is filed by the petitioners before this Court stating therein that the infrastructure and other facilities, which were available at the time of inspection conducted in pursuance of the interim orders passed by the various High Courts are still available, then, in that event, their applications could be considered.*

*We, therefore, permit the petitioners to file an affidavit before this Court stating therein that all facilities including infrastructure, teaching and non teaching staff etc., which were available at the time of inspection pursuant to the interim orders, are still available.*

*We further clarify that, if on the date of filing of the petitions, the petitioners had a valid No Objection Certificate (NOC) from the concerned State Governments and the requisite affiliation from the Universities / Boards concerned, the same shall be considered as a valid date for the present academic year.*

*We further clarify that the order passed today would also be applicable to all such applicants who are governed by the interim order passed by the Delhi High Court or any other High Court.*

*The PCI shall take decisions on the applications for grant of approval on or prior to 15.11.2022. If any appeals are filed before the Appellate Authority, the same shall be decided prior to 15.12.2022. In the facts and circumstances of the case, the last date of admission, in so far as new colleges are concerned, is extended till 30.12.2022."*

3. It is, therefore, canvassed that the applicant can lodge the

affidavit in the disposed off proceeding.

4. The learned Advocate representing respondent No.3 / Pharmacy Council of India submits on instructions that this Court may permit the petitioner to file the affidavit which is annexed at Page Nos. 15 and 16 of the civil application, in this Court.

5. In view of the above, this application is disposed off. Office to register the original affidavit dated 11.11.2022 at page Nos.15 and 16 of the civil application.

( SANJAY A. DESHMUKH, J. )

( RAVINDRA V. GHUGE, J.)