

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1975 of 2023

1. Sunaina College of Pharmacy Bypass Road Lakhisarai, District - Lakhisarai through its trustee namely Mritunjay Kumar, aged about 44 years (Male), S/o Ramsewak Mishra, R/o Mohalla - Dharamrai Chak Ward No. 7, Lakhisarai, P.O. and P.S. - Lakhisarai, District - Lakhisarai.
2. Shyam School of Pharmacy, Kirtaul Teghra Begusarai, District - Begusarai, through its trustee Amit Anand, aged about 48 years (Male), S/o - Shyamnandan Singh, R/o Village - Nagar Parishad Bihat Ward No. 24, P.S.- Bihat, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Health Department, Govt. of Bihar New Secretariat, Patna.
2. The Additional Chief Secretary Health Department, Govt. of Bihar New Secretariat Patna.
3. The Director - In-Chief Health Services, Govt. of Bihar, Patna.
4. The Pharmacy Council of India, New Delhi through it's Secretary.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 2618 of 2023

Shyam School of Pharmacy Kirtaul Teghra Begusarai, District- Begusarai, through its trustee Amit Anand, aged about 48 years (Male), S/o Shyamnandan Singh, R/o Village- Nagar Parishad Bihat Ward No. 24, P.S. Bihat, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar New Secretariat, Patna.
2. The Additional Chief Secretary, Health Department, Govt. of Bihar New Secretariat, Patna.
3. The Director-in-Chief, Health Services, Govt. of Bihar, Patna.
4. The Pharmacy Council of India, New Delhi through its Secretary.
5. The L.N.Mithila University, Darbhanga through its Registrar.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 1975 of 2023)

For the Petitioner/s : Mr.Shashi Bhushan Singh

For the Respondent/s : Mr.Nagendra Pd. Yadav (Sc23)

(In Civil Writ Jurisdiction Case No. 2618 of 2023)



For the Petitioner/s : Mr.Shashi Bhushan Singh
For the Respondent/s : Mr.Pankaj Kumar (Sc12)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 11-05-2023 The petitioner, which is a Pharmacy College has approached this Court for a direction to the respondents to grant “No Objection Certificate” in favour of the College in order to run B. Pharma Course inasmuch as the College in question has already fulfilled all the terms and conditions laid down by the Pharmacy Council of India as well as the State Government.

The private Pharmacy College in question has been established for allowing the students to pursue their studies for Bachelor in Pharmacy. According to the petitioner, Diploma in Pharmacy Course has already been running pursuant to “No Objection Certificate” as well as affiliation granted by the State Government and the Pharmacy Council of India. The dispute now relates to grant of “No Objection Certificate” for the Session 2023-24.

A supplementary counter affidavit has been filed by the respondent-State stating therein specifically in paragraph no. 6 that in pursuance of the deficiencies pointed out by the Department issued vide Memo No. 159 (17) dated 16-02-2023 the petitioner - College has submitted an application before the Department on 21.02.2023 along with the documents and



necessary decision shall be taken after examining the documents and other aspects for grant of “No Objection Certificate” in favour of the petitioner- College.

In view of the statement made by the parties and the fact that petitioner has already submitted the required documents and in pursuance of the letter dated: 16-02-2023 issued by Department the matter relating to grant of “No Objection Certificate” is pending before the Director- in- Chief, Health Services, Govt. of Bihar, Patna, accordingly, the Director- in- Chief, Health Services, Govt. of Bihar, Patna (i.e. Respondent No. 3) is directed to consider the request of the petitioner for grant of “No Objection Certificate” in accordance with law and take a decision within a period of two weeks from the date of receipt / production of a copy of this order.

With the aforesaid observation and direction, the writ application stands disposed of.

praful/-

(Anil Kumar Sinha, J)

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