

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17593 of 2022**

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Mahabodhi Educational and Social Welfare Sansthan, Village and P.O. and P.S.- Nalanda, District- Nalanda through its Secretary namely Arvind Kumar, (male), aged about- 62 years, Son of Ramchandra Prasad Singh, Resident of Village- Bhagwanpur, P.O. Gurusharanpur, P.S. Ben, District- Nalanda, Bihar.  
... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Health Department, Government of Bihar, Patna.
3. The Director-in-Chief, (Medical Education), Health Services, Health Department, Government of Bihar, Patna.
4. The Officer on Special Duty, Health Department, Government of Bihar, Patna.
5. Diploma in Pharmacy Examination Committee through the Chairman, Health Department (Medical Education), Government of Bihar, Nalanda Medical College Campus, Patna.
6. The Controller of Examination, Diploma in Pharmacy Examination Committee, Health Department (Medical Education), Government of Bihar, Nalanda Medical College Campus, Patna.
7. Pharmacy Council of India through its Registrar, MBCC Centre, 3rd Floor, Plot No. 2, Community Centre, Maa Anandmayee Marg, Okhla Phase-1, New Delhi- 110020.
8. The Registrar, Pharmacy Council of India, MBCC Centre, 3rd Floor, Plot No.2, Community Centre, Maa Anandmayee Marg, Okhla Phase-1, New Delhi- 110020

... .. Respondents

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with

**Civil Writ Jurisdiction Case No. 17606 of 2022**

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Ayush Institute of Pharmaceutical Sciences, Village and P.O.- Hazipur Billour, P.S.- Barh, District- Patna through its Secretary namely Rakesh Kumar Singh, (Male), aged about 59 years, Son of Dr. Ram Naresh Singh, Resident of 131, Anugraha Puri Colony, P.O. and P.S. Rampur, District Gaya, Bihar.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Health Department, Government of Bihar, Patna.
3. The Director-in-Chief, (Medical Education), Health Services, Health Department, Government of Bihar, Patna.
4. The Officer on Special Duty, Health Department, Government of Bihar, Patna.
5. Diploma in Pharmacy Examination Committee through the Chairman,



Health Department (Medical Education), Government of Bihar, Nalanda Medical College Campus, Patna.

6. The Controller of Examination, Diploma in Pharmacy Examination Committee, Health Department (Medical Education), Government of Bihar, Nalanda Medical College Campus, Patna.
7. Pharmacy Council of India through its Registrar, MBCC Centre, 3rd Floor, Plot No. 2, Community Centre, Maa Anandmayee Marg, Okhla Phase- I, New Delhi- 110020.
8. The Registrar, Pharmacy Council of India, MBCC Centre, 3rd Floor, Plot No. 2, Community Centre, Maa Anandmayee Marg, Okhla Phase- I, New Delhi- 110020.

... .. Respondents

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**Appearance :**

(In Civil Writ Jurisdiction Case No. 17593 of 2022)

For the Petitioner/s : Mr. Kumar Kaushik, Advocate

For the Respondent/s : Mr. Nagendra Pd. Yadav, SC-23

For the PCI : Ms. Parul, Advocate

(In Civil Writ Jurisdiction Case No. 17606 of 2022)

For the Petitioner/s : Mr. Kumar Kaushik, Advocate

For the Respondent/s : Mr. S.D. Yadav, AAG- 9

Mr. Braj Bhushan Mishra, AC to AAG-0

For the PCI : Ms. Parul, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

4      26-09-2023                      Heard learned counsel for the petitioners and the State.

2. Petitioner in CWJC No. 17593 of 2022 is aggrieved by and dissatisfied with the communication as contained in Memo No. 1108 (17) dated 25.11.2022 issued under the signature of the Director-in-Chief (Medical Education), Health Services, Bihar, Patna by which the petitioner has been communicated that his application for No Objection Certificate to run D.Pharma and B.Pharma courses have been rejected for the reason that he had failed to remove the discrepancies which were found in his application. In the same communication, it is



stated that the petitioner, if so desire, may submit an online application for the next academic session.

3. Petitioner in CWJC No. 17606 of 2022 is aggrieved by and dissatisfied with the Memo No. 1105(17) dated 25.11.2022 issued under the signature of the Director-in-Chief (Medical Education), Health Services, Bihar, Patna rejecting his No Objection Certificate application for running B.Pharma and D.Pharma Courses.

4. Learned counsel for the petitioners submits that the petitioners would be satisfied at this stage if they str given an opportunity to file a fresh online application and the same be considered without being prejudiced by the earlier rejection of the application and within a time line.

5. Learned counsel for the State submits that if such an application is filed by the petitioners online, the same will definitely be considered in accordance with law and an appropriate decision shall be taken thereon as early as possible.

6. Having regard to the kind of submissions noted hereinabove, this Court is disposing of the present writ applications with liberty to the petitioners in terms of Annexure 'P7' to the writ application to apply online for No Objection Certificate and on submission of such application, the



respondents shall consider the same at the earliest opportunity in accordance with the norms and procedures. In any case, the application must be considered and a decision be taken thereon within a period of one month from the date of submission of the application.

7. These writ applications stand disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

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