

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

214

CWP-2848-2021

Date of Decision: 07.07.2023

SANT LAL AND ANR

....Petitioners

Versus

HARYANA STATE PHARMACY COUNCIL AND ANR

...Respondents

CORAM:HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Saurav Verma, Advocate for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. Gopal Sharma, Advocate
for respondent No.1.

VINOD S. BHARDWAJ, J.(Oral)

Present writ petition has been filed under Article 226 read with Article 16 and 21 of the Constitution of India seeking issuance of directions to respondent No.2 to restore enrollment of the names of the petitioners in the list of Licensed Pharmacist having qualified the D. Pharmacy course from the approved colleges and also having completed 500 hours of practical training.

2. Notice has been issued in the aforesaid writ petition. Learned counsel for respondent No.1 has filed the written statement in the Court today. It has been averred in the said response that even though the petitioners have acquired their qualification of D.

Pharmacy from a college approved by respondent No.2, however, the enrollment of the petitioners have been cancelled for the reason that the 10+2 certificate (which found the basis for seeking admission in the course of D. Pharmacy) was found to be fake. The petitioners have thereafter passed 10+2 from an approved board, however, the Pharmacy council disputes that acquiring of abovesaid qualification later in point of time cannot relate back to the date when the basic qualification was required to be fulfilled by the petitioners for seeking admission in the Course of D. Pharmacy. He, however, submits that the order of cancellation of enrollment having already been passed, the petitioners have a statutory remedy of appeal under Section 36 (4) of the Pharmacy Act, 1948 before the State Government.

3. In view of the above, learned counsel for the petitioner does not press the instant petition at this stage so as to approach the appellate authority for redressal of his grievance.

4. Accordingly, the present petition is disposed of as not pressed with liberty to the petitioners to take recourse to the remedies available to them in accordance with law.

[VINOD S. BHARDWAJ]
JUDGE

July 07, 2023
rashmi

Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no