

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1206 of 2024

Patna College of Pharmacy House No. 931, 932, Gajachak, Mohammadpur,
Gram Panchayat-Koriyawa, Post-Sorampur, Police Station-Phulwari Sharif,
District-Patna 801505 through its Secretary Nishat haider, (Male) aged about
38 Years, Son of Md. Aquil Haider, Resident at 403, Block C. Akash Ganga
Apartment, Ashiana- Digha Road, Raja Bazar, Patna.

... .. Petitioner/s

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. The 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. The Bihar State Pharmacy Council through its Registrar, B.M. Das Road, Patna-800004.
8. The 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.
9. The Registrar, Pharmacy Council of India, MBCC Centre, 3rd Floor, Plot No.2, Community Centre, Maa Anandmayee Marg, Okhla Phase-1, New Delhi-110020.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Niranjan Kumar
For the Respondent/s	:	Mr.Niraj Kumar, AC to G.A.-10
For the PCI	:	Ms.Parul Prasad, SC

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 10 27-06-2024 Heard learned counsel for the petitioner, learned counsel
for the State and learned counsel for the respondent nos.8 and 9.
2. The present writ application has been filed for the



following relief/s:-

“(i) For issuance of a writ of mandamus or a writ, order or direction for directing the respondent no.8 to grant approval to Patna College of Pharmacy, House No.931, 932, Gajachak, Mohammadpur, Gram Panchayat-Koriyawa, Post-Sorampur, Police Station-Phulwari Sharif, District Patna 801505 (hereinafter to be referred as the college) for the D.Pharm course for the session 2021-22 and 2022-23 with additional direction for processing and deciding the approval application in time bound manner.

(ii) For issuance of an order or direction in any appropriate writ directing the respondents to grant approval letter for registration of the student of the college admitted for the session 2021-22 and 2022-23 so that examination Committee/Authority can proceed with the registration of the students.”

3. The present matter has been heard in details by this Court and during the course of argument, concern has been raised for the students of the Academic Session 2021-22 and 2022-23 enrolled in D.Pharm Course with the petitioner's college as the college does not have the approval for conducting D.Pharm course and it will affect the future of the students.



4. In this regard, it is observed that for the sake of the future of the students, the concerned respondent Authority is required to allow the students to appear in the examination and PCI is also, directed to give consequential benefit of registration to such students.

5. Considering the above discussions, the respondents are directed to abide by the decision of this Court unconditionally. However, the present case shall be treated as an exception and all pending applications for grant of recognition and/or approval of course/institutions in the Pharmacy shall be dealt with as per the provisions of the Pharmacy Act, 1948 and the regulation there under and as per the norms and regulation fixed by the respondent PCI.

6. The respondent no.6 is directed to grant permission to conduct the examination of the concerned students within a period of ten days from today.

7. With the aforesaid observation, this writ application is disposed for.

(Anjani Kumar Sharan, J)

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