

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-17830-2020 (O&M)
Date of decision: 29.02.2024

Pawan Kumar and others
...Petitioners

VERSUS

State of Haryana and others
...Respondents

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

Present :- Mr. Naveen, Advocate for
Mr. Sanjiv Gupta, Advocate for the petitioners.

Mr. Pankaj Mulwani, DAG Haryana.

Mr. S.K. Sharma, Advocate for respondent No.2/PCI.

Mr. Gopal Sharma, Advocate and
Mr. Varun Suman, Advocate for respondents No. 3 and 4.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for issuance of directions to the respondents to issue Registration Certificates to the petitioners.
2. Learned counsel appearing on behalf of the petitioners contends that the petitioners have passed B. Pharmacy and D. Pharmacy from the duly recognized institutions. The relevant details of the same are extracted hereunder:-

<i>S. No.</i>	<i>Name, father's/Husband's Name and address.</i>	<i>Name of the University from whereby qualification of B. Pharmacy/D. Pharmacy acquired</i>	<i>Year of passing</i>
<i>1</i>	<i>Pawan Kumar, aged 39 years, son of Shri Baljit Singh, resident of Village Thurana, Tehsil Hansi, District Hisar.</i>	<i>OPJS University, Churu, Rajasthan</i>	<i>2019</i>
<i>2</i>	<i>Sandeep, aged 28 years, son of Jagbir Singh, resident of Village Dhanana Aladadpur, Tehsil and District Sonipat.</i>	<i>Vinayaka College of Pharmacy, VPO Gobind Pura, Jawaharwala, Jakhal Road, Lehragaga, District Sangrur.</i>	<i>2017</i>
<i>3</i>	<i>Ajmer Singh, aged 38 years, son of Shri Satbir Singh, resident of Thurana, Tehsil Hansi, District Hisar.</i>	<i>Swami Dayanand College of Pharmacy, Bathinda-Barnala Road, Lehra Bega (Bhucho Mandi), Bathinda.</i>	<i>2019</i>

3. It is contended that the Haryana Pharmacy Council has a statutory obligation to issue the Registration Certificates in a time-bound matter, however, the same are not being issued to the petitioners for no valid reasons.

4. Written statement along with Annexures on behalf of respondents No.3 and 4 has been filed today in the Court and the same is taken on record. Copy thereof has been furnished to the learned counsel for the petitioners. It is specifically stated therein that so far as petitioners No.2 and 3 are concerned they had passed D. Pharmacy from the Pharmacy

Colleges in Punjab, which are affiliated with the Punjab State Technical Board. As a verification report of the certificates submitted by the petitioner has been received, the necessary registration of petitioners No.2 and 3 has already been carried out by the Haryana State Pharmacy Council and the Registration Certificates have been issued to them.

5. It is further averred in the above said written statement that petitioner No.1 has been shown to have completed his pharmacy from OPJS University, Churu, Rajasthan, which is a private deemed University. The Haryana State Pharmacy Council has sent the communication for verification of the pharmacy certificate of petitioner No.1 and has also issued various reminders thereafter, however, the admission list of the students has not been provided by the above said private deemed University. Hence, for want of verification of the pharmacy course passed by petitioner No.1, the registration could not be done. The details of the letters sent by the Haryana State Pharmacy Council is extracted hereunder:-

HSPC No.5636/5637 dated 26.08.2021	Pharmacy Council of India and OPJS University
HSPC No.6621/6622 dated 11.10.2021	Pharmacy Council of India and OPJS University
Letter dated 20.04.2022	Registrar, OPJS University
HSPC No./2022/5753 dated 14.09.2022	Registrar, OPJS University
HSPC No./2022/7867 dated 01.12.2022	Registrar, OPJS University

HSPC No./2022/8938 dated 23.12.2022	Registrar, OPJS University
HSPC No./2023/6632/12.05.2023	Pharmacy Council of India

6. It is thus evident that so far as the grievance of petitioners No.2 and 3 is concerned, the same already stands redressed and so far as the issue pertaining to registration of petitioner No.1 concerned, the same is apparently not a default on account of the Haryana State Pharmacy Council but on the part of the above said private deemed University.

7. The present petition is accordingly **disposed of as having been rendered infructuous** at this stage. Petitioner No.1 may, if so advised, furnish a duly verified documents/details with the Haryana State Pharmacy Council and in the event of furnishing documents/details, the appropriate action in terms of the Pharmacy Act and the Rules and Regulations framed there-under shall be taken by the respondent- Haryana State Pharmacy Council.

8. Needless to mention that in case, petitioner No.1 has furnished documents/certificates which are forged or bogus, the Haryana State Pharmacy Council shall be at liberty to initiate such appropriate proceedings as per law.

29.02.2024
Mangal Singh

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No