

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-19741-2023 (O&M)
Date of decision:- 05.09.2024

Lal Bahadur Shastri College of Pharmacy and others
...Petitioner(s)
Versus
State of Haryana and others
...Respondent(s)

CWP-25966-2023 (O&M)
Shri Ram Shiksha Samiti and others
...Petitioner(s)
Versus
State of Haryana and others
...Respondent(s)

CWP-22296-2023 (O&M)
National College of Pharmacy and others
...Petitioner(s)
Versus
State of Haryana and others
...Respondent(s)

CWP-26030-2023 (O&M)
M.R. College of Pharmacy and others
...Petitioner(s)
Versus
State of Haryana and others
...Respondent(s)

CWP-26722-2023 (O&M)
Madhav College of Pharmacy and another
...Petitioner(s)
Versus
State of Haryana and others
...Respondent(s)

CWP-27171-2023 (O&M)
Jan Uthan College of Pharmacy and another
...Petitioner(s)
Versus
State of Haryana and others
...Respondent(s)



CORAM: **HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE**
HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Chetan Mittal, Senior Advocate,
 with Mr. Pankaj Maini, Advocate,
 Mr. Mayank Aggarwal, Advocate,
 for the petitioners in CWPs-19741, 25966, 22296, 26030 &
 27171-2023.

Mr. Gaurav Sharma, Advocate,
 for the petitioners in CWP-26722-2023.

Mr. Deepak Balyan, Additional Advocate General, Haryana,
 Mr. Naveen S. Bhardwaj, Additional Advocate General, Haryana.

Mr. S.K. Sharma, Advocate,
 Mr. Rajat Sharma, Advocate,
 for respondent No. 4.

Mr. Gopal Sharma, Advocate,
 for respondent No. 5.

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SHEEL NAGU, C.J. (ORAL)

1. This order shall dispose of six petitions filed by the petitioner-colleges imparting Diploma Course(s) in Pharmacy at Graduate and Post-Graduate Level challenging the order dated 01.08.2023, letters dated 23.08.2023 and 29.08.2023 respectively, whereby re-inspection of the petitioner-colleges has been ordered through fresh Committee inspite of the fact that physical inspection had been carried out earlier by an Expert Committee of Pharmacy Council of India.

2. This Court, while taking cognizance of the matter on 08.11.2023 in CWPs-19741 & 22296-2023, permitted the petitioner-colleges to go ahead with provisional admissions subject to final outcome of the petitions. However, the said interim order was assailed by the State of Haryana before the Apex Court. The Apex Court quashed and set aside the order dated 08.11.2023 vide order dated 04.12.2023 passed in SLP(C) No. 26376 of 2023 titled *Haryana State Board of Technical Education and others Vs Lal Bahadur Shastri College of Pharmacy and others* and SLP(C) No. 26509 of 2023.



3. The core question in the present petitions is as to whether the petitioner-colleges’ claim for affiliation is in accordance with law or not.
4. Since the academic year 2023-2024 for which affiliation had been sought is over, it would be appropriate that the petitioner-colleges apply afresh for affiliation after completing the pre-requisites as per the guidelines laid down in the Affiliation Bye-Laws issued by the Haryana State Board of Technical Education (as approved by Governing Council in its 3rd meeting held on 18.06.2012).
5. In view of the above, the petitioner-colleges are extended liberty to complete all the requisite formalities as laid down in the guidelines and thereafter apply for the next academic year.
6. In case, the petitioner-colleges apply within the prescribed time, after completing all the pre-requisites, then the State shall consider their application(s) after carrying out the requisite inspection. However, if the inspection reveals any deficiencies, then the same be immediately pointed out to the petitioner-colleges within a reasonable period of time so that they have opportunity to rectify the defects and deficiencies within the time prescribed.
7. Learned State counsel, on instructions, has conceded that the affiliation fee already deposited by the petitioner-colleges shall be treated as affiliation fee for the next academic year.
8. The writ petitions, accordingly, stand disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

05.09.2024
Amodh Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No