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

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**CWP No.27486 of 2023(O&M)
Date of Decision:24.07.2024**

PARAMOUNT COLLEGE OF PHARMACY AND OTHERS

.....PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Pankaj Maini, Advocate for the petitioners.

Mr. Naveen S. Bhardwaj, Additional Advocate General,
Haryana for respondents No.1 to 3.

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

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. This petition has been filed by three Colleges praying for the following reliefs:-

- i. Issue a writ in the nature of Certiorari to set aside the notings on the files qua the petitioners – colleges by the respondents (if any) for putting the orders for not conducting the inspection of the petitioners – colleges in terms of the e-mails sent by them on 04.10.2023, 05.10.2023 & 21.09.2023 (Annexure P-7);



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AND

ii. A writ of certiorari may kindly be issued to the respondents as their act and conduct is totally illegal, arbitrary whereby inspections of the petitioner colleges have been ordered to be conducted through committee duly constituted but nobody has turned up to conduct the physical inspection of petitioners – colleges by violating the provisions of The Haryana State Board of Technical Education Act, 2008 (Annexure P-8) and the Regulations (Annexure P-9) framed thereunder;

AND

iii. A writ of mandamus may kindly be issued to the respondents to immediately issue the affiliation letters to the petitioners- Colleges for the academic session of 2023-24 by treating them as deemed recognized colleges and allow the petitioners- colleges to admit the students for the said academic session and the respondents could carry out the inspection later on;

AND

iv. A writ of mandamus may kindly be issued to the respondents by treating the schedule for admissions issued by them according to which the last date was 21.11.2023 (Annexure P-10) as non-applicable upon the petitioners -



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colleges and they be allowed to admit the students and will notify the respondents regarding the admissions made by them, as well as, the respondent be also directed to regularize the admissions to be made by the petitioner- colleges accordingly.

2. At the very outset, learned counsel for the petitioners does not press this petition qua petitioner No.2 - College since no challenge has been laid to the rejection of the application for its affiliation. Consequently, this petition qua petitioner No.2 stands dismissed.

3. As regards petitioner Nos.1 and 3/Colleges, it is seen from the record in particular counter affidavits filed by the Pharmacy Council of India as well as Haryana State Board of Technical Education that the said Colleges had furnished requisite fee for inspection but the inspection could not be carried out for one reason or the other.

4. Allegations and counter allegations have been made by the parties against each other including that petitioner Nos.1 and 3/Colleges could not be inspected for reasons attributed to each other. This Court would not like to enter into aforesaid dispute since learned counsel for petitioner Nos.1 and 3 submits that petitioners would be satisfied if petitioners are permitted to file a fresh application for carrying out inspection for the purposes of affiliation by the Haryana State Board of Technical Education – respondent No.2.

5. In view of the above, the present petition stands disposed of with following directions:-



- a. If the petitioner files a fresh application after completing all the formalities required under the relevant rules, regulations and bye-laws before the Haryana State Board of Technical Education within a period of 30 days, the same shall be considered and decided by the Board after carrying out the necessary inspection, as expeditiously as possible.
- b. The Board shall also consider the request of the petitioners to treat the inspection fee, already deposited for the Session 2023-24, for the purpose of inspection qua Session 2024-25, if permissible in law.
- c. It is made clear that passing of this order shall not prejudice the mind of the Competent Authority in taking a decision either way but in accordance with law.

(SHEEL NAGU)
CHIEF JUSTICE

(VIKAS SURI)
JUDGE

24.07.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No