



2024:DHC:3369



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5180/2024**

DASHRATH PRASAD RAMNANDAN PANDEY
COLLEGE OF PHARMACY Petitioner

Through: Mr. Mayank Manish, Advocate

versus

PHARMACY COUNCIL OF INDIA Respondent

Through: Mr. Ajay Kumar Singh, Mr.
Yatharth Singh and Mr. Anubhav Bhandari,
Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

J U D G M E N T (O R A L)

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25.04.2024

1. The petitioner in this writ petition seeks a direction to the Pharmacy Council of India (PCI) to decide application submitted by the petitioner for approval for the B. Pharm course for the year 2024-2025.

2. The petition was filed as an emergent measure, as the cut-off date for obtaining approval, as fixed by the Supreme Court, was 30 April 2024.

3. Learned counsel for the parties inform the Court *ad idem* that the cut-off date stands extended to 30 October 2024.

4. Mr. Ajay Kumar Singh, learned counsel for the respondent, seeks to point out that the petitioner in his application for the B.

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Pharm course, sought extension of approval, though the petitioner had never been granted approval for the B. Pharm course and was, therefore, required to seek initial approval.

5. The Court notes that a combined application was submitted for the B. Pharm and D. Pharm course. The petitioner was already granted approval for the D. Pharm course. As such, so far as the D. Pharm course is concerned, the petitioner correctly sought extension of approval.

6. It appears that, as a combined application was filed for two courses, permission was inadvertently sought in respect of the B. Pharm course for extension of approval.

7. The error is clearly *bona fide*. It does not impact, in any way, the entitlement, or otherwise, of the petitioner to approval. A hyper-technical view would not be appropriate in such cases.

8. Mr. Mayank Manish, learned counsel for the petitioner, candidly acknowledges that there was an error on the part of his client in filing a combined application for extension of approval for the B. Pharm and D. Pharm courses and prays that the PCI may be directed to treat the application, in so far as the B. Pharm course is concerned, as an application for approval rather than for extension of approval.

9. In my view, the prayer ought to be granted.

10. Accordingly, the respondent, Pharmacy Council of India is

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directed to treat the petitioner's application, in so far as it deals with the B. Pharm Course, as one seeking initial approval and, following the relevant procedure prescribed in that regard, pass orders thereon as expeditiously as possible.

11. Needless to say, if any differential fees are required to be deposited, they would be paid by the petitioner. Mr. Mayank Manish also so undertakes.

12. This writ petition stands disposed of in the aforesaid terms with no orders as to costs.

C.HARI SHANKAR, J

APRIL 25, 2024/yg

[Click here to check corrigendum, if any](#)

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