

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9258 of 2025

Abhigamya Institute of Professional Studies situated at village- Ahiyapur, P.S- Konch, District- Gaya, Bihar-824207, registered under the trust namely Shiv Shankar Technical Education Trust, through its Chairman Aparna Singh, Female, aged about- 57 years, W/o-Amarendra Kumar Singh, situated at Village-Ahiyapur, P.S - Konch, District- Gaya, Bihar having its registered office at (Delhi Office) B-004, Mangal Apartments, Vasundhara Enclave, Delhi- 110096 and (Patna office) at A-1, Sachivalaya Colony, A-1, Sachivalaya Colony, Kankarbagh, Opposite Kendriya Vidyalaya 1, Patna-800020, P.S- Kankarbagh, P.O-Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Government of Bihar, New Secretariat, Patna.
2. The Additional Chief Secretary, Health Department, Government of Bihar, Patna.
3. The Principal Secretary, Health Department, Government of Bihar, Patna.
4. Mrs. Renu Kumari, Special Duty Officer, Health Department, Government of Bihar, Patna.
5. The Secretary, Higher and Technical Education Department, Government of Bihar, Patna.
6. The Directorate of Health Services, Patna, Bihar.
7. The Additional Director of Health Services, Patna.
8. The Director-in-Chief, Health Services, Government of Bihar, Patna.
9. The District Magistrate, Gaya, Bihar.
10. The Secretary, Pharmacy Council of India, New Delhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Girish Nandan Abhishek, Advocate Mr.Apurva Kumar, Advocate Mr.Abhishek Kumar Singh, Advocate
For the State	:	AC to Additional Advocate General (4)
For the P.C.I.	:	Ms.Parul Prasad, Advocate Mr.Aditya Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 23-09-2025

Heard the parties.



2. The petitioner, represented through its Chairman, has invoked the jurisdiction of this Court seeking issuance of a writ in the nature of Mandamus directing the respondent no. 2 and the concerned respondents to issue 'No Objection Certificate' within a reasonable period for running the courses in Diploma in Pharmacy and Bachelors of Pharmacy as the petitioner fulfills all the requisite qualifications /infrastructure as required under the terms and conditions laid by the Pharmacy Council of India as well as the State.

3. Learned Advocate for the petitioner submitted that having obtained the approval of courses from the Pharmacy Council of India, the petitioner applied for inspection of the institute in question for issuance of the no objection certificate. Pursuant thereto, an enquiry committee was constituted under letter dated 04.10.2023 and further on 09.08.2024 a fresh team of three members was constituted for inspection of the petitioner's institution. On 19.12.2024, the inspection committee duly constituted; inspected the petitioner's institution and submitted its report under Letter No. 34 dated 20.12.2024.

4. Notwithstanding the aforesaid fact, the inspection was done long back on 20.12.2024, till date no final decision has been taken nor the "No Objection Certificate" has been issued compelling the petitioner to approach this Court. It is the specific contention of the petitioner that identically situated institutions have approached this



Court in C.W.J.C. Nos. 1975/2023 and 2618/2023 and in their favour, the no objection certificates have been issued though after filing a contempt petition. The copies of all the orders have been placed on record as Annexure ‘P/10 series’.

5. Learned Advocate for the State has submitted that he is in receipt of the instruction and shall ensure filing of the counter affidavit.

6. Having considered the submissions advanced and considering the nature of the relief sought for as also the orders passed by the learned Co-ordinate Bench of this Court, instead of keeping the matter pending this Court deems it apt and proper to dispose of the writ petition with a direction to respondent nos. 2 to 4 to consider the pending claim of the petitioner and take a final decision in the matter within a period of four weeks from today, keeping in mind the uniformity in action is the hallmark of good governance.

7. The present writ petition stands disposed of.

(Harish Kumar, J)

tusharika/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.09.2025
Transmission Date	25.09.2025

