

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10803 of 2024

Rajbvanshi Ramashish College of Pharmacy Arara, Hajipur, Vaishali through the Chairman of Sri Sri Ramashish Rai Educational Trust, Hajipur, Vaishali, Anita Kumari, aged about 50 years, female, wife of Surendra Roy, House no. E-109, South S.K. Puri, P.S.- Srikrishnapuri, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Examination Controller, Diploma in Pharmacy Committee, Health (Health Education) Department, Nalanda Medical College Campus, Patna-800026.
3. The Pharmacy Council of India through Registrar-cum-Secretary, NBCC Centre, 3rd Floor, Plot No.2, Community Centre, Maa Anandmai Marg, Okhla Phase-1, New Delhi- 1100020.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10785 of 2024

Institute of Pharmacy N.H.-20, Dosut (Dhamauli), P.S.-Wena, Rahui, Nalanda through the Chairman of Ashirbad Foundation, Mahesh Prasad Singh, aged about 66 years, male, son of late Vasudev Prasad Singh, resident of N.H.-20, Village-Dhamauli, Wena, P.S.-Bena, District-Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary. Health Department, Govt. of Bihar, Patna
2. The Examination Controller, Diploma in Pharmacy Committee, Health (Health Education) Department, Nalanda Medical College Campus, Patna-800026
3. The Pharmacy Council of India through Registrar-Cum-Secretary, NBCC Centre, 3rd Floor, Plot No.2, Community Centre, Maa Anandmai Marg, Okhla Phase-1, New Delhi-1100020

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10987 of 2024

Yashodanand College of Pharmacy Manpur, P.O.- Puraini, P.S. - Giryak, Nalanda through the Secretary of Yoshodanand Foundation Trust, Avinash Kumar, aged about 25 years, son of Late Nandlal Prasad resident of Village - Manpur, P.O.- Puraini, P.S. - Giryak, District- Nalanda.



... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Examination Controller, Diploma in Pharmacy Committee, Health (Health Education) Department, Nalanda Medical College Campus, Patna-800026.
3. The Pharmacy Council of India through Registrar-Cum-Secretary, NBCC Centre, 3rd Floor, Plot No.2, Community Centre, Maa Anandmai Marg, Okhla Phase- 1, New Delhi- 1100020.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11104 of 2024

B L Pharmacy College NH- 139, Aurangabad Patna Road, Rampur, Aurangabad through its Director Amresh Kumar (Male), aged about 43 Years, Son of Surajman Sharma, Resident of B.L. Indo Anglian Public School, Karma Road, Sri Krishna Nagar, P.S. - Town, District - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Examination Controller, Diploma in Pharmacy Examination Committee, Health (Health Education) Department, Nalanda Medical College Campus, Patna - 800026.
3. The Pharmacy Council of India through Registrar-Cum- Secretary, NBCC Centre, 3rd Floor, Plot No.-2, Community Centre, Maa Annandmai Marg, Okhla Phase - 1, New Delhi- 1100020.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11132 of 2024

Kurma Sanskriti Institute of Pharmaceutical Sciences, Kurma, Jehanabad, through the Secretary of the Institute, Om Narayan, aged about 30 years, male, son og Shankar Kumar, residence of J-189, P.C. Colony, Kankarbagh, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Examination Controller, Diploma in Pharmacy Committee, Health (Health Education) Department, Nalanda Medical College Campus, Patna-



800026.

3. The Pharmacy Council of India through Registrar-cum-Secretary, NBCC Centre, 3rd Floor, Plot No.2, Community Centre, Maa Anandmai Marg, Okhla Phase-1, New Delhi- 1100020.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11278 of 2024

Indu Devi Ranjeet Kumar Prakash Professional College Hajipur, Vaishali through its Director Ranjeet Kumar (Male), aged about 37 Years, Son of Umesh Mishra, Resident of Chhoti Marai, Hajipur, P.S. - Hajipur Industrial Area, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Examination Controller, Diploma in Pharmacy Examination Committee, Helath (Health Education), Department, Nalanda Medical College Campus, Patna - 800026.
3. The Pharmacy Council of India through Registrar-Cum-Secretary, NBCC Centre, 3rd Floor, Plot No. 2, Community Centre, Maa Annandmai Marg, Okhla Phase- 1, New Delhi- 1100020.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11282 of 2024

Manav Bharti College of Pharmacy Village- Paharpur, P.O. - Darioura, P.S. - Amas Chandi Sthan, Sherghati, District- Gaya through its Executive Director Sanjay Kumar Singh (Male), aged about 60 years, Son of Late Mahesh Prasad Singh, Resident of Bodh Gaya Road, Near I.T.I. Kendui, P.O. - Chand Chaura, P.S. - Magadh Medical College and Hospital, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Examination Controller, Diploma in Pharmacy Examination Committee, Health (Health Education) Department, Nalanda Medical College Campus, Patna- 800026.
3. The Pharmacy Council of India through Registrar-Cum-Secretary, NBCC Centre, 3rd Floor, Plot No. - 2, Community Centre, Maa Annandmai Marg, Okhla Phase - 1, New Delhi- 1100020.

... .. Respondent/s



with
Civil Writ Jurisdiction Case No. 11374 of 2024

Shyam Sai Institute of Education, Shyamvedi, Karom, P.S.- Darauli, District-Siwan through its Principal, Shivanand, aged about 32 years, male, son of Ram Narayan Prasad, resident of House no. 67A, Ward No. 5, Salha @ Mahiuddin, P.S.- Sahdei, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Examination Controller, Diploma in Pharmacy Committee, Health (Health Education) Department, Nalanda Medical College Campus, Patna-800026.
3. The Pharmacy Council of India through Registrar-cum-Secretary, NBCC Centre, 3rd Floor, Plot No. 2, Community Centre, Maa Anandmai Marg, Okhla Phase-1, New Delhi-1100020.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 11614 of 2024

C.R.K. College of Pharmacy Hajipur, District- Vaishali through its Chairman Anil Kumar (Male), aged about 62 Years, Son of Late Raj Kishore Chaudhary, Resident of badi Yusufpur, P.S.- Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Examination Controller, Deploma in Pharmacy Examination Committee, Health (Health Education), Department, Nalanda Medical College Campus, Patna- 800026.
3. The Pharmacy Council of India, through Registrar-Cum-Secretary, NBCC Centre, 3rd Floor, Plot No. 2, Community Centre, Maa Annandmai Marg, Okhla Phase-1, New Delhi- 1100020.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 12374 of 2024

Rajendra Kishori Pharmacy College Sughari, N.H. 227A, P.S.- Bhagwanpur Hat, District- Siwan through the Chairman of Sai Baba Educational Trust, Arun Kumar Singh, aged about 57 years, male, son of late Rama Shankar Singh, resident of LF-38, S.K. Puri, P.S.- Srikrishnapuri, District- Patna.



... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Examination Controller, Diploma in Pharmacy Committee, Health (Health Education) Department, Nalanda Medical College Campus, Patna-800026.
3. The Pharmacy Council of India through Registrar-cum-Secretary, NBCC Centre, 3rd Floor, Plot No.2, Community Centre, Maa Anandmai Marg, Okhla Phase-1, New Delhi-1100020.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 10803 of 2024)

For the Petitioner/s : Mr. Rishi Raj Raman
For the State : Ms. Anukriti Jaipuriya
For the PCI : Mrs. Parul Prasad

(In Civil Writ Jurisdiction Case No. 10785 of 2024)

For the Petitioner/s : Mr. Prashant Sinha
For the State : Ms. Anukriti Jaipuriya
For the PCI : Mrs. Parul Prasad

(In Civil Writ Jurisdiction Case No. 10987 of 2024)

For the Petitioner/s : Mr. Prashant Sinha
Mr. Rishi Raj Raman
For the State : Mr. Rajeev Shekhar, AC to G.A.-13
For the PCI : Mrs. Parul Prasad

(In Civil Writ Jurisdiction Case No. 11104 of 2024)

For the Petitioner/s : Mr. Arun Kumar
Mr. Raghubir Chandrayan
For the State : Ms. Dimpal Kumari, AC to GP-11
For the PCI : Mrs. Parul Prasad
Mr. Aditya Anand

(In Civil Writ Jurisdiction Case No. 11132 of 2024)

For the Petitioner/s : Mr. Prashant Sinha
For the State : Mr. Government Pleader (4)
For the PCI : Mrs. Parul Prasad

(In Civil Writ Jurisdiction Case No. 11278 of 2024)

For the Petitioner/s : Mr. Arun Kumar
For the State : Mr. K.P. Gupta, G.P.-10
Mr. Satya Vrat, AC to G.P.-10
For the PCI : Mrs. Parul Prasad
Mr. Aditya Anand

(In Civil Writ Jurisdiction Case No. 11282 of 2024)

For the Petitioner/s : Mr. Arun Kumar
For the State : Mr. Vivek Prasad, G.P.-7
Mrs. Manisha Singh, AC to G.P.-7
For the PCI : Mrs. Parul Prasad

(In Civil Writ Jurisdiction Case No. 11374 of 2024)

For the Petitioner/s : Mr. Rishi Raj Raman
For the State : Ms. Anukriti Jaipuriya
For the PCI : Mrs. Parul Prasad

(In Civil Writ Jurisdiction Case No. 11614 of 2024)



For the Petitioner/s : Mr.Arun Kumar
For the State : Mr. Standing Counsel 16
For the PCI : Mrs. Parul Prasad
(In Civil Writ Jurisdiction Case No. 12374 of 2024)
For the Petitioner/s : Mr.Prashant Sinha
For the State : Ms. Anukriti Jaipuriya
For the PCI : Mrs. Parul Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 11-02-2025 Heard learned counsels for the petitioners, learned counsels for the State and learned counsel for the Pharmacy Council of India.

2. The present matter has been heard in detail by this Court and during the course of argument, the concern has been raised for the students of the Academic Session 2021-22 and 2022-23 enrolled in D.Pharm Course with the petitioners colleges as the colleges do not have the approval for conducting D.Pharm course and it will affect the future of the students.

3. In this regard, it is observed that since regular examinations are over for the students of the Academic Session 2021-22 and 2022-23 enrolled in D.Pharm Course, the concerned Authority, for the sake of the future of the students enrolled in D.Pharm Course with the petitioners colleges, is required to held a Special Examination and allow the students to appear in the said examination and Pharmacy Council of India (PCI) is also directed to give consequential benefit of registration to such students.



4. Considering the facts and circumstances of the case and the above discussions, the respondents are directed to abide by the decision of this Court unconditionally. However, the order passed in these cases shall be treated as an exception and will not be taken as a precedent in future and all pending applications for grant of recognition and/or approval of course/institutions in the Pharmacy shall be dealt with as per the provisions of the Pharmacy Act, 1948 and the regulation thereunder and as per the norms and regulation fixed by the respondent PCI.

5. In such view of the matter, the respondent no.2 is directed to grant permission to conduct a Special Examination of the concerned students and, subsequently, hold a Special Examination within a period of two months from the date of receipt/production of a copy of this order.

6. With the aforesaid observation, these writ applications stand disposed of.

(Anjani Kumar Sharan, J)

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