

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14023 of 2024

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College of Pharmacy Pathraura, Rajgir- Bihar Road, Rajgir, P.S.-Rajgir,
District-Nalanda through the Chairman of Smile Foundation, Dharmendra
Kumar, aged about, 57 years, male, son of late Ramkhelawan Prasad, at and
P.O.-Pathraura, P.S.-Chhabilapur, 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

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Appearance :

For the Petitioner/s	:	Mr. Prashant Sinha, Adv.
For the State	:	Mr. Standing Counsel 25
For the P.C.I.	:	Mrs. Parul Prasad, Adv.
	:	Mr. Aditya Anand, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2025 Heard learned counsels for the petitioner, 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 petitioner college as the

college does 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 college, 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 this case 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)

anand/-

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