

WRIT PETITION NO.11459 OF 2025

Dattakala Shikshan Sanstha and another	]	Petitioners
versus		
State of Maharashtra through Its Department	]	
of Technical Education, Mantralaya and others	]	Respondents

Mr. Vijaysinh Thorat, for Petitioners.

Mr. Siddheshwar B. Kalel, A.G.P, for Respondent – State.

Mr. Nagesh Chavan, for Respondent No.4 - CET.

Mr. Sandeep Rebari (through V.C.), for Respondent No.5.

**CORAM : M.S. KARNIK &
SHARMILA U. DESHMUKH, JJ**

DATE : 16th OCTOBER, 2025.

ORAL ORDER: [PER SHARMILA U. DESHMUKH, J.]:

1. Heard Mr. Thorat, learned Counsel for the petitioners, Mr. Kalel, learned A.G.P, for respondent – State, Mr. Chavan, learned Counsel for respondent No.4 and Mr. Rebari, learned Counsel for respondent No.5.
2. Mr. Thorat, learned Counsel appearing for the petitioners tenders the draft amendment. The Draft amendment is taken on record. Leave to amend in terms of draft amendment is granted as amendment seeks to challenge the

Circular dated 26th September, 2025 which was the subject matter of the prior orders passed by this Court. The amendment to be carried out forthwith.

3. The present petition, *inter alia*, challenges the circular dated 26th September, 2025 issued by the respondent No.5 – Pharmacy Council of India by which the petitioner's name was added in the list of colleges under the Category "Not to make admission category". Though the petition seeks number of reliefs, during the submissions, Mr. Thorat has confined his relief only *qua* the circular dated 26th September, 2025 by which the petitioners have been put under the the Category "Not to make admission category".

4. Attention of this Court is drawn to the order dated 6th October, 2025 passed by this Court (Nagpur Bench) in **Writ Petition No.5816 of 2025 (Gramin Vikas Multipurpose Education Society, Nagpur though Its Secretary, Nagpur and another Vs. The Pharmacy Council of India and others)**. Mr. Thorat submits that this Court by the said order has quashed and set aside the circular dated 26th September, 2025 by which the petitioner No.2 – college therein was put in the same category. He submits that as the facts of the present case are identical, the same course be followed by this Court.

5. Learned Counsel appearing for respondent No.5 - Pharmacy Council of India does not dispute the position that the Circular dated 26th September, 2025 has already been quashed by this Court in the said decision.

6. Mr. Kalel, learned A.G.P would submit that there are certain deficiencies which were communicated to the respondent No.5 – Pharmacy Council of India based on which Circular dated 26th September, 2025 was issued.

7. This Court (Nagpur Bench in Gramin Vikas Multipurpose Education Society, Nagpur though Its Secretary, Nagpur and another Vs. The Pharmacy Council of India and others) has specifically held that the Joint Director does not possess any power either under the Act or under the norms framed by Pharmacy Council of India to inspect the college once NOC was issued to start the college and that Pharmacy Council of India has issued impugned Circular on the basis of the inspection report submitted by the Joint Director is contrary to law. In the present case, it is stated that the petitioner – college has been granted NOC in the year 2020 and the facts are thus identical.

8. We are, therefore, inclined to allow the petition by quashing the Circular dated 26th September, 2025 which is at **“Exhibit J-2”** (Page 66-22) issued by respondent No.5 – Pharmacy Council of India listing the petitioner – College under the category of “Not to make Admission Category”.

9. The respondent No.2 – Director of Technical Education is directed to forward the name of the petitioner No.2 – College to the respondent No.4 – Competent Authority & Commissioner State CET Cell for including the name of the petitioner No.2 – college on the Website created for the purpose of

admission to the upcoming CAP rounds immediately for the first year Diploma Pharmacy Course. The necessary steps to be taken by the respondent No.2 - Director of Technical Education well in advance before the upcoming CAP round.

10. The petition is disposed of in the aforesaid terms.

11. All parties to act on authenticated copy of this order.

[SHARMILA U. DESHMUKH, J.]

[M.S. KARNIK, J.]