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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR**

**CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11658 OF 2025**

Dalit Mitra Kadam Guruji College
of Pharmacy, Mangalwedha, Solapur

...Petitioner

versus

The State of Maharashtra and Ors.

...Respondents

Mr. Anil Anturkar Senior Advocate (through V. C.) a/w Mr. Tanaji
Mhatugade i/b Mr. Vinod Shejwal for the Petitioner.

Mr. Nagesh Chavan for the Respondent No.7-CET Cell.

Mr. S. B. Kalel, AGP for the State.

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

DATE : 17th OCTOBER, 2025.

ORAL ORDER (PER SHARMILA U. DESHMUKH, J.):

1. The present petition seeks quashing and setting aside of the circular No.17/115/2019 dated 26th September, 2025 issued by the Pharmacy Council of India, listing the present petitioner college on the “not to make admission” list.

2. Mr. Anturkar, learned Senior Advocate appearing for the petitioner submits that this Court (Nagpur Bench) in the case of Gramin Vikas Multipurpose Education Society and Ors. Vs. Pharmacy Council of India in Writ Petition No.5816 of 2025 by order dated 6th October, 2025 has held that the Joint Director does not possess any power under the Act or the norms framed by the PCI to inspect the College after the NOC has been issued and quashed the circular of 26th September, 2025. He

would further point out that the NOC was issued by the Joint Director subject to obtaining NOC from the fire department which has also been complied with and points out the communication dated 8th October, 2025 issued by the Mangalwedha Municipal Council granting provisional fire safety approval. He submits that the Petitioner college is therefore required to be listed for the purpose of upcoming CAP round on 18th October, 2025.

3. Mr. Chavan, appearing for the Respondent No.7-CET Cell submits that in so far as the admissions to the D. Pharmacy is concerned, the Director of Technical Education can directly upgrade the list, and in so far as the case of B. Pharmacy course is concerned, the Director of Technical Education has to inform the CET-Cell. CET-Cell will thereafter take necessary action.

4. We have perused the order dated 6th October, 2025 passed in the case of Gramin Vikas Multipurpose Education Society (supra) in identical facts where the Petitioners therein were put under the category of “not to make admission” category by virtue of circular dated 26th September, 2025. This Court has held that once an NOC has been granted, there was no power left to inspect the College by the Joint Director and impugned circular which is issued on the basis of the inspection report submitted by the Joint Director is contrary to the law. In the present case, by the same circular of 26th September, 2025, the

present petitioner has been placed in the list of “not to make admission” category for the reason that the fire and safety certificate was not available. Apart from the fact that the petitioner has now obtained the fire safety approval, the circular itself has been quashed by this Court (Nagpur Bench). In view thereto, the petition deserves to be succeed and is hereby allowed.

5. The circular dated 26th September, 2025 issued by the Pharmacy Council is quashed and set aside qua the present petitioner. The Petitioner has duly cured the deficiencies as is evident from the communication dated 8th October, 2025 listed at page No.45 of the paper book.

6. Learned AGP is directed to inform the Joint Director of Technical Education immediately of the present order and the name of the petitioner college in so far as the D. Pharmacy course is concerned to be updated and permitted for the upcoming CAP round on 18th October, 2025. In so far as the admission for the B. Pharmacy course is concerned, the Joint Director of Technical Education to immediately update and inform the CET-Cell so that the name of the petitioner can be included in the upcoming CAP round.

7. All concerned to act on the authenticated copy of the order.

8. The petition stands disposed in the above said terms.

[SHARMILA U. DESHMUKH, J.]

[M.S. KARNIK, J.]