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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 13928/2025 & CM APPL. 57002/2025**

JYOTIRADITYA INSTITUTE OF PHARMACYPetitioner

Through: **Mr. Sanjay Sharawat, Sr. Adv. with
Mr. Chandra Shekhar Singh and Mr.
Ayush Aanand, Advs.**

versus

PHARMACY COUNCIL OF INDIARespondent

Through: **Mr. Ajay Kumar Singh and Ms.
Shristi Gautam, Advs. for R-1.
Mr. Amitesh Kumra and Ms. Priti
Kumari, Advs. for R-2/AKTU.**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% 19.09.2025

1. The challenge in the present petition is to the decision letter dated 28.08.2025 issued by the respondent no.1/PCI whereby it has rejected the grant of approval for M.Pharm and Pharm.D courses to the petitioner institution for the Academic Session 2025-26.
2. Mr. Sanjay Sharawat, learned Senior Counsel appearing on behalf of the petitioner has drawn attention of the Court to decision letter dated 28.08.2025, to submit that the only ground on which the rejection is predicated is that the petitioner institution has failed to submit consent of affiliation by examining authority for introduction of the aforesaid two new courses.
3. Notice in this petition was issued by this Court *vide* order dated



10.09.2025 when Mr. Ajay Kumar Singh, learned counsel appearing on behalf of respondent no.1/PCI had sought time to seek instructions.

4. He has returned back with instructions to the effect that in the present case no inspection has been conducted by respondent no.1/PCI insofar as the petitioner's M. Pharm and Pharm. D courses are concerned, and now there is no time left for inspection as per the timelines prescribed by the Hon'ble Supreme Court.

5. On the other hand, Mr. Sharawat has handed over across the Bar, a compilation of documents which contains a deputation letter dated 20.03.2025, the same is taken on record.

6. A perusal of the deputation letter dated 20.03.2025 shows that two inspectors namely, Mr. Girish Kumar Gupta and Mr. Hanumanthrao C. Patil were deputed as inspectors for conducting inspection *qua* M. Pharm and Pharm. D courses as well, apart from D.Pharm and B.Pharm courses. A copy of the said deputation letter has also been handed over to Mr. Ajay Kumar Singh.

7. In view of said deputation letter dated 20.03.2025, this Court finds that there is no substance in the objection of Mr. Ajay Kumar Singh that no inspection has been conducted by respondent no.1/PCI insofar as petitioner's M. Pharm and Pharm. D courses are concerned.

8. As noted the ground on which the rejection is pivoted, is to the effect that petitioner institute has failed to submit consent of affiliation of the examining authority.

9. It is not in dispute that the examining authority in the present case is respondent no.2/Dr. A.P.J. Abdul Kalam Technical University, Institute of Engineering and Technology, Lucknow.



10. Mr. Kumar, learned counsel appearing on behalf of respondent no.2/University submits that counter-affidavit has been filed by the respondent no.2/University, however, the same has not come on record. Mr. Amitesh Kumar has handed over another copy of the counter-affidavit filed on behalf of respondent no.2/University, which is taken on record.

11. He invites attention of the Court to paras 13 and 14 of the said counter-affidavit, which read thus:

“13. That it is respectfully submitted that if Pharmacy Council of India (PCI) grants approval to petitioner college for additional courses in respect of M.Pharm (Pharmaceutics, Pharmacognosy, Pharmacology, Pharmaceutical Chemistry) & Pharm D for academic session 2025-26, then, University will process and consider petitioner’s online application in accordance with provisions of University Act [which requires previous permission/approval of State Government under Section 23(2)] and Regulations framed thereunder and also policy decisions regarding grant of extension/affiliation to an existing pharmacy institution for the academic session 2025-26.

14. That it is submitted that Hon’ble Supreme Court of India in the matter of Parshvanath Charitable Trust & Ors. V. AICTE & Ors. [(2013) 3 SCC 385] has fixed the cut off date of 15th May of the relevant academic year for grant of approval/affiliation by State Government/Universities concerned. Therefore, University being bound by the said cut off date will consider petitioner’s application subject to extension of the said cut off date of affiliation by Hon’ble Supreme Court of India for the present academic year 2025-26. A true copy of judgment of Hon’ble Supreme Court of India in the matter of Parshvanath Charitable Trust & Ors. Vs. AICTE & Ors. [(2013) 3 SCC 385] is annexed herewith and being marked as ANNEXURE R-3.”

12. A perusal of the above quoted paragraphs of the counter-affidavit shows that that respondent no.2/University has taken a stand that if



respondent no.1/PCI grants approval to petitioner institute for additional courses in respect of M. Pharm and Pharm. D courses for Academic Session 2025-26, then respondent no.2/University will process and consider the petitioner's online application in accordance with the provisions of University Act and Regulations framed thereunder and other relevant policy decisions.

13. Thus, it appears that respondent no.2/University has no objection in granting affiliation to petitioner institute for the aforesaid courses.

14. In that view of the matter, respondent no.1/PCI is directed to treat the affidavit of respondent no.2/University as consent of respondent no.2/University, which is the examining authority, for the aforesaid two courses for the Academic Session 2025-26.

15. The respondent no.1/PCI is further directed to process the application of petitioner in accordance with law, subject to completion of other formalities.

16. The petition along with pending application, is disposed of in the aforesaid terms.

VIKAS MAHAJAN, J

SEPTEMBER 19, 2025

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