



2025:DHC:10047



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 14th November, 2025*+ **W.P.(C) 16850/2025 & CM APPL. 69828/2025****AMBIKA INSTITUTE OF PHARMACY**

.....Petitioner

Through: Mr. Sanjay Sharawat, Senior Advocate with Mr. Ravi Kant, Mr. Mayank Manish, Mr. Vineet Upadhyay, Mr. Ashok Kumar, Mr. Ayush Aanand and Mr. Aaditya, Advocates.

versus

PHARMACY COUNCIL OF INDIA

.....Respondent

Through: Mr. Ajay Kumar Singh and Mr. Yatharth Singh, Advocates.

CORAM:**HON'BLE MS. JUSTICE JYOTI SINGH****JUDGEMENT****JYOTI SINGH, J. (ORAL)**

1. This writ petition is filed on behalf of the Petitioner seeking the following reliefs:-

“(a) quash the decision letter dated 30.09.2025 issued by the Respondent by which it has rejected the application of the petitioner institution seeking approval for the B. Pharm course for the academic session 2025-26; and

(b) quash the deputation letter dated 04.11.2025 issued by the Respondent by which it has deputed inspectors for proposed inspection of petitioner institution, contrary to directions made by the Hon'ble Supreme Court; and

(c) direct the Respondent to grant approval to petitioner institution for conducting B. Pharm course for academic session 2025-26, in terms of the time extended by the Hon'ble Supreme Court.”

2. As per the case set up in the petition, Petitioner is an Institute running D.Pharm Course after grant of approval by PCI vide decision dated



2025:DHC:10047



27.07.2021 for the period 2019-2020 to 2021-22. Approval for extension was granted by PCI on 23.08.2024 for academic session 2024-2025. Pursuant to invitation of applications by PCI for extension of approval for session 2025-2026, Petitioner submitted an application for extension of approval for D.Pharm Course as also for new B.Pharm Course and paid the requisite fee.

3. It is averred that PCI caused inordinate delay in deciding the application and failed to do so till 30.04.2025, the original last date as per order of the Supreme Court in Civil Appeal No. 9048/2012 titled ***Parshvanath Charitable Trust and Others v. All India Council for Technical Education and Others, (2013) 3 SCC 385***, wherein the Supreme Court laid down the schedule for approval by the Regulatory Authority, affiliation by the Affiliating University/State body as also for counselling and admission of students.

4. It is averred that PCI could not complete the approval process for academic session 2024-2025 as per timelines fixed by the Supreme Court and filed M.A. No. 711/2025 in C.A. No. 9048/2012 for extension of time for completing the approval process for academic session 2025-2026, which was allowed vide order dated 09.05.2025 and time for completing the entire approval process was extended till 30.08.2025 and the appeal process was directed to be completed by 30.09.2025. On 21.06.2025, PCI conducted inspection of the premises of the Petitioner in respect of D.Pharm and B.Pharm Courses and rendered a report on the same day. Based on the inspection report, the deficiencies in respect of B.Pharm Course were notified on PCI Portal on 21.08.2025 and Petitioner was granted time of 7 days to submit compliance on the portal, failing which the application would



be automatically rejected for the said academic session. Approval was granted to the Petitioner for D.Pharm Course on 21.08.2025. Petitioner submitted the compliance report on 27.08.2025 and matter was placed before 430th Executive Council (EC) Meeting held on 08.09.2025 and basis the decision, after considering the compliance filed by the Petitioner, PCI conveyed to the Petitioner on 17.09.2025 through PCI Dashboard that re-inspection would be carried out for verification of deficiencies. The decision letter dated 17.09.2025 reflected the status of the Petitioner for B.Pharm Course as 'reject'.

5. It is stated that re-inspection was conducted by PCI on 29.09.2025 and as per the report, all deficiencies previously mentioned were cured. However, PCI took a decision on 30.09.2025 to reject the approval application in respect of B.Pharm Course, contrary to its own inspection report and aggrieved, Petitioner approached the Supreme Court by filing W.P. (C) No. 983/2025 seeking quashing of decision dated 30.09.2025, rejecting the application for approval of B.Pharm Course for academic session 2025-2026 as also for a direction to PCI to grant approval by relaxing the cut-off dates fixed by the Supreme Court earlier. Notice was issued in the writ petition on 10.10.2025.

6. It is stated that PCI once again approached the Supreme Court by filing M.A. No. 1987/2025 in C.A. No. 9048/2012 and sought extension of time to decide the applications for approval for academic session 2025-2026. W.P. (C) No. 983/2025 was listed before the Supreme Court on 31.10.2025 along with M.A. No. 1987/2025 as also other applications/petitions and was disposed of on the said date. On the application of PCI, the period was extended till 15.11.2025 for completion of approval process and in the writ



2025:DHC:10047



petition filed by the Petitioner as also other writ petitions, the Supreme Court recorded the stand of PCI that it would reconsider the question of grant of approval for applied courses for the academic session 2025-2026.

7. It is further stated that instead of considering grant of approval, PCI issued the impugned deputation letter dated 04.11.2025 deputing inspectors for proposed reinspection of the Petitioner Institution, contrary to the order of the Supreme Court dated 31.10.2025 as also its own inspection report dated 29.09.2025, endorsing that all deficiencies were cured. Petitioner has challenged the decision dated 30.09.2025 rejecting the application seeking approval for B.Pharm Course as also deputation letter dated 04.11.2025, deputing inspectors for reinspection.

8. Mr. Sanjay Sharawat, learned Senior Counsel for the Petitioner contends that pursuant to inspection conducted by PCI on 21.06.2025, deficiencies were notified on PCI Portal on 21.08.2025 and within 7 days, compliance was filed by the Petitioner on 27.08.2025. PCI directed reinspection on 17.09.2025 for verifying the deficiencies and report of the inspection conducted on 29.09.2025 clearly evidences that all deficiencies marked earlier were rectified by the Petitioner. In light of this, PCI ought to have proceeded to grant approval, however, instead of doing so, impugned decision was taken on 30.09.2025 to reject the application for B.Pharm Course and inspectors were deputed vide deputation letter dated 04.11.2025 to carry out re-inspection. The decision to reject the application as also to conduct re-inspection is contrary to the inspection report dated 29.09.2025 as also the assurance given by PCI before the Supreme Court that it will reconsider the cases for approval. It is urged that once the deficiencies were cured and rectified on 29.09.2025, there was no occasion for PCI to direct



2025:DHC:10047



reinspection and depute inspectors to do so vide deputation letter dated 04.11.2025 and/or reject the application on 30.09.2025.

9. It is further urged that the impugned decision dated 30.09.2025 is wholly non-speaking and does not indicate any reason for rejecting the application for approval. Once PCI found that all deficiencies were cured, the least that the Petitioner was entitled to was to know why reinspection was being directed and why the application was rejected. There is total non-application of mind and arbitrariness in taking the impugned decision dated 30.09.2025. It is also strenuously contended that the application was submitted by the Petitioner in January, 2025 for approval for new B.Pharm Course with deposit of requisite fee but PCI not only delayed the consideration of the application inordinately but has compounded the error by rejecting the approval application despite its own report dated 29.09.2025 that no deficiencies existed as on that date. In these circumstances, Mr. Sharawat urges that direction be issued to PCI to grant approval on or before 15.11.2025 to the B.Pharm Course so that Petitioner can admit students for academic session 2025-2026, failing which the entire academic session 2025-2026 will be lost for no fault of the Petitioner and entire default of PCI, more particularly, when there is no impediment in grant of approval in light of inspection report dated 29.09.2025.

10. Counsel for PCI submits that inspection report dated 29.09.2025 was placed before 434th EC Meeting held on 30.09.2025, wherein approval for D.Pharm Course was extended for 60 seats but insofar as B.Pharm Course is concerned, it was decided to reject the application for current academic year. Thereafter, it was decided to reinspect Petitioner's premises and letter dated 04.11.2025 was issued deputing inspectors for the said purpose. This



2025:DHC:10047



decision was communicated to the Petitioner through PCI Portal on 05.11.2025. PCI arranged for inspection between 04.11.2025 to 08.11.2025 but Petitioner denied permission for inspection and sent an e-mail to PCI that it had approached this Court and would not permit inspection. PCI in good faith again arranged inspection between 11.11.2025 to 14.11.2025 and sought consent of the Petitioner for reinspection. PCI is making every effort to reinspect the premises so that application for approval could be decided within the timelines fixed by the Supreme Court. It is urged that Petitioner has itself created a hurdle in the decision-making process and cannot blame PCI. Without inspecting the premises and ascertaining whether the Institution has the required infrastructure, both academic and physical, as per applicable Regulations, approval cannot be granted for B.Pharm Course. On a pointed query by the Court as to why reinspection was ordered *de hors* the inspection report dated 29.09.2025, no response is forthcoming.

11. Heard learned Senior Counsel for the Petitioner and counsel for PCI.

12. Facts are not in dispute. Pursuant to application filed by the Petitioner in January, 2025, Petitioner applied for extension of approval for D.Pharm Course as also for starting new B.Pharm Course for academic session 2025-2026. The Supreme Court laid down the schedule for approval by Regulatory Authority as also for affiliation by Affiliating University/State body and counselling and admission of students in C.A. No. 9048/2012. The original cut-off date for the present session was 30.04.2025, however, the same was extended from time to time at the instance of PCI and as per order dated 31.10.2025, the period is extended till 15.11.2025 for completion of approval process for academic session 2025-2026. By the same order, W.P. (C) No. 983/2025 filed by the Petitioner was disposed of along with other



2025:DHC:10047



writ petitions recording the stand of PCI that it shall reconsider question of grant of approval for applied courses for the present academic session 2025-2026.

13. Post the order of the Supreme Court passed on 31.10.2025, PCI issued the impugned deputation letter dated 04.11.2025, thereby deputing inspectors for inspection of Petitioner's premises. Earlier thereto, by impugned decision dated 30.09.2025, application of the Petitioner for B.Pharm Course was rejected, while granting approval for extension of D.Pharm Course for 60 admissions for academic session 2025-2026. PCI had conducted the first inspection on 21.06.2025 and deficiencies were notified on its portal on 21.08.2025, details of which have been mentioned in the report as also in the writ petition and counter affidavit. Petitioner was called upon to submit compliance within 7 days, which the Petitioner did on 27.08.2025. Matter was placed before 430th EC on 08.09.2025 and as per decision notified through PCI Dashboard on 17.09.2025, reinspection was directed for verification of deficiencies. Admittedly, reinspection was conducted on 29.09.2025.

14. Inspection report dated 29.09.2025 has been placed on record by the Petitioner and as rightly pointed out by learned Senior Counsel for Petitioner, it was endorsed in the report that all deficiencies previously mentioned were fulfilled. Relevant part of the report is extracted hereunder for ease of reference:-

“Audited financial statement, salary disbursement bank transfer, National international journals, computer lab faculty for B Pharmacy, Lab technicians, non-Teaching staff, Central instrumentation room, No any other Institute running in the same building, Paper electrophoresis Lucas moist chamber, UV Visible Spectro Photo meter, Biometric attendance of staff and Students



2025:DHC:10047



*Smart Class room, Fuming cupboard, Triple door entering setup
Gas fitting exhaust fans. All deficiencies previous mentioned
fulfilled.”*

15. Despite this inspection report endorsing that deficiencies marked earlier no longer existed, PCI rejected the application for approval of B.Pharm Course and after the assurance given to the Supreme Court on 31.10.2025, proceeded to direct reinspection and deputed inspectors for the said purpose. As rightly flagged by learned Senior Counsel for the Petitioner once it was found by PCI during the inspection on 29.09.2025 that all deficiencies had been rectified, there was no reason to reject the approval application and/or direct reinspection for the second time. Significantly, the rejection order dated 30.09.2025 does not indicate a single reason as to why the application was rejected despite the inspection report dated 29.09.2025 being in favour of the Petitioner and even the counter affidavit is conspicuously silent on this aspect. Be it mentioned that PCI is unable to put forth any reason as to why reinspection was ordered on 04.11.2025 once the deficiencies were cured and rectified. Neither in the counter affidavit nor during the course of hearing, any light is shed on the reason for directing reinspection. Clearly, the action of PCI in rejecting the approval application and directing reinspection is arbitrary and without application of mind and cannot withstand judicial scrutiny.

16. Accordingly, impugned decision dated 30.09.2025 is quashed to the extent the application for approval of B.Pharm Course is rejected. Deputation letter dated 04.11.2025 is also quashed and set aside and PCI is directed to process the case of the Petitioner for grant of approval for B.Pharm Course forthwith, as per its application for academic session 2025-



2025:DHC:10047



2026. The order will be issued within the timeline fixed by the Supreme Court i.e., by 15.11.2025.

17. Writ petition is allowed and disposed of in the aforesaid terms along with the pending application.

JYOTI SINGH, J

NOVEMBER 14, 2025

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