

WPA 3262 of 2026

Agnibina School of Pharmacy & Ors.
Vs.
The State of West Bengal & Ors.

Mr. R. Chatteraj
Mr. P. Saha
Ms. Ankita Das
Mr. Sourav Mondal
Ms. Debapriya Ghosh
..... for the petitioners

Mr. Swapan Kumar Datta, learned G.P.
Mr. Rajat Dutta
Mr. Debottam Das
..... for the State

Mr. Suman Dey
..... for the respondents no. 4 & 5

Mr. Tarun Jyoti Tewari
..... for the PCI

1. Affidavit-of-service, as filed in Court, is kept on record.
2. The petitioner no. 1 is a Pharmacy College imparting education to various students for various degrees in Pharmacy. Petitioner no. 2 is the Trust running the State colleges while petitioner no. 3 is the Officer-in-Charge of the Pharmacy College.
3. The petitioners are aggrieved that in spite of having the requisite clearance, upon inspection, by the respondent no. 3, the respondent no. 4 has

not permitted renewal of the affiliation of the petitioner no. 1 with the respondent no. 4.

4. In fact, an inspection was also caused by the respondent no. 4 and the college was found, according to the petitioner no. 1, to be in order.
5. The petitioners are aggrieved that their request for affiliation for the Academic Session 2025-26 has been kept in abeyance by the respondent no. 4 on January 16, 2026.
6. The petitioners further state that in view of the refusal of the respondent no. 4 to renew the affiliation of the college, the petitioner no. 1 will be deprived of admitting new students for the Academic Session 2025-26.
7. Mr. Tewari, learned Advocate appearing for the respondent no. 3, submits that even though inspection was made and a clean chit had been given to the petitioner no. 1, the same was done at the instance of the petitioner itself. In fact, since the respondent no. 4, the State body, is the authority to manage the entire process of the Pharmacy colleges, it is entirely on the respondents no. 4 and 5, to take a final call in the matter. He has further submitted that even after an inspection by the respondent no. 3 and clearance given thereof, it is open to the

respondents no. 4 and 5 to refuse renewal of affiliation.

8. Mr. Dey, learned Advocate appearing for the respondents no. 4 and 5 submits that they are bound by an order of this Court passed in May, 2024, pursuant where to it has been directed *inter alia* :

“In the light of the above, directing the respondent nos. 3 to 5 to cause verification of all the institutions, which are either impleaded in this writ petition or the others, which are registered with them and examine as to whether they fulfil all criteria and proceed to take action in accordance with law within a period of two months from the date on which the server copy of this order is received.”

9. Being bound by such order, the respondents have undertaken enquiry/inspections and found 78 colleges whose infrastructure has been found wanting and renewal of their affiliation has been kept in abeyance.
10. Thus, it is not as if the petitioner no. 1 has been singled out for any discriminatory treatment.
11. The notice keeping the affiliation of the petitioner no. 1 in abeyance dated January 16, 2026, etches certain deficiencies.
12. The petitioner no. 1 has responded to such letter of January 16, 2026 on January 20, 2026.
13. Since a response has been given by the petitioner no. 1 as also by various other such colleges, the

respondents no. 4 and 5 have constituted a Expert Committee with the onerous task of considering such replies made by all the errant colleges. This Committee was formed on February 9, 2026. The Committee is in the process of considering the response of the various colleges pursuant to the notice of deficiencies given by the respondents no. 4 and 5.

14. The only issue that would remain to be answered is what would be the status of the colleges, once they are able to rectify the deficiencies, if found wanting by the Expert Committee.
15. To this, the respondents no. 4 and 5 have specifically submitted, on instructions, that if the deficiencies are cured by the errant colleges which includes the petitioner no. 1, the time will be extended to permit the petitioner no. 1 to admit new students for the Academic Session 2025-26. It is obvious that such consideration by the Expert Committee will be concluded within a reasonable time to ensure that there is something left of 2025-26 Session.
16. In view of the submissions made by the parties, I permit the petitioner no. 1 to continue with the classes of the existing students for the Academic Session prior to 2025. However, petitioners will not be permitted to admit any new students for

the new Session. This order will operate as long as the Expert Committee does not come to a finding. If the Expert Committee's finding is addressed by the petitioners within a reasonable time and the deficiencies are rectified, the concerned authority, being the respondents no. 4 and 5 will take necessary steps to enlarge the time for admission of the students to the roster of the petitioner no. 1.

17. With these aforestated directions, the writ petition is disposed of.

18. There shall, however, be no order as to costs.

19. Since no affidavit has been called for, the allegations contained in the writ petition are deemed to be denied.

20. Urgent photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Reetobroto Kumar Mitra, J.)