IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.19508 of 2026

Date of Decision: 30.10.2026

Shivananda K. …….Petitioner

Versus

State of Himachal Pradesh & others … Respondents

Coram:
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting? [1]

For the Petitioner: Mr. Rishi Tandon, Advocate.

For the Respondents: Mr. Rajan Kahol, Additional Advocate General with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for the respondent-State.

Mr. L.S. Mehta, Advocate, for respondent No.3.

Ms. Kanta Thakur, Advocate, for respondents No.4 and 5.

Sandeep Sharma, Judge(oral):

By way of instant petition filed under Article 226 of the Constitution of India, petitioner has prayed for following main relief:-

" i. That the instant writ petition may kindly be allowed with cost and the respondent/Committee may kindly be directed to release the diploma to the petitioner in a time bound manner;

ii. The respondents may kindly directed to consider the petitioner as genuine student for future verification as the

[1] *Whether the reporters of the local papers may be allowed to see the judgment?*

> petitioner has been enrolled as student through proper admission process."

2. Precisely, the grouse of the petitioner as has been highlighted in the petition and further canvassed by Mr. Rishi Tandon, learned counsel for the petitioner, is that though petitioner herein has already completed two years Diploma course in Pharmacy from respondent No. 4, Manav Bharti University, in the year 2018, but till date he has not been issued diploma certificate, as a result whereof career of the petitioner is at stake.

3. While putting in appearance on behalf of respondent No. 4, Ms. Kanta Thakur, Advocate, on instructions states that as per the records, petitioner has already completed two years diploma from the respondent-University, but he could not be issued diploma certificate for the reason that requisite data with regard to his admission was never communicated/submitted to respondent No. 3, Himachal Pradesh Private Educational Institutions Regulatory Commission. While fairly admitting that diploma certificate is otherwise to be issued by the respondent-University, Ms. Thakur states that though there is no fault on the part of the petitioner, but he was not issued diploma on account of non-submission of admission record to respondent No. 3, which has otherwise no role, if any, in the issuance of diploma.

4. Mr. L.S. Mehta, learned counsel, while putting in appearance on behalf of respondent No. 3, states that very purpose

and object of transmitting all records with regard to admission of a candidate to Regulatory Commission is to ensure that no hanky-panky is done by the respondent-University in admission and candidate is granted admission against allotted seat. He states that data with regard to admission of the petitioner can be submitted to respondent No. 3 at any stage by the University for the records of the Commission and thereafter, it may proceed to issue diploma certificate to the petitioner.

5. Consequently, in view of aforesaid clear stand adopted by the respondent-University as well as respondent-Commission, this Court sees no necessity to call for reply on behalf of the respondents, rather can proceed to dispose of the present petition on the basis of material already available on record.

6. Since it is an admitted fact that petitioner was admitted in respondent No. 4-University in the year 2016-17 academic sessions in Diploma in Pharmacy and he successfully completed the aforesaid course in the year 2018, prayer made on his behalf for issuance of diploma deserves to be allowed.

7. Accordingly, the present petition is allowed and respondent No. 4 is directed to issue diploma certificate to the petitioner for Diploma in Pharmacy within a period of two weeks, but while doing so, entire record with regard to his admission alongwith

detailed mark-sheets for the course concerned be also transmitted to respondent No. 3-Commission for its records. Pending applications, if any, also stand disposed of.

(Sandeep Sharma),
Judge

October 30, 2026
(shankar)