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

+ **LPA 263/2026**

MAHATMA GANDHI UNIVERSITY SIKKIMAppellant

Through: Mr. Sanjay Sharawat, Sr Adv. with
Mr. Chandrashekhar Singh, Mr.
Ayush Aanand, and Mr. Ravi Kant,
Advs.

versus

PHARMACY COUNCIL OF INDIARespondent

Through: Mr. Ajay Kumar Singh and
Mr. Divyansh Singh, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **15.04.2026**

CM APPL. 24148/2026 (Delay)

1. Having heard learned counsel representing the parties and perused the averments made in the instant application, the application is allowed and delay of 48 days in re-filing the appeal is condoned.

2. The application stands disposed of.

CM APPL. 24149/2026 (Exemption)

3. Exemption allowed, subject to all just exceptions.

4. The application stands disposed of.

LPA 263/2026, CM APPLs. 24150/2026 & 24151/2026

5. Heard learned counsel for the parties.

6. It has been argued by learned counsel for the appellant-University that



one of the prayers made in the writ petition which has been decided *vide* impugned order dated 22.01.2026 passed by the learned Single Judge, was to quash the Show Cause Notice ('SCN') dated 10.12.2025, issued by the respondent-Council seeking withdrawal of approval of the petitioner-University in totality following certain arbitrary rejection of extension of approval.

7. It has been stated further that the impugned order does not adjudicate the said prayer, though, the learned Single Judge in paragraph no.3 of the aforesaid order has noticed the statement made on behalf of the appellant-University to the effect that *"As regards the prayer clause No. (b), it is stated by Mr. Sharawat, that there is no approved course with the petitioner for the academic session 2025-26 and hence the show-cause notice dated 10.12.2025 is also a meaningless exercise."*

8. On behalf of the appellant-University, it has been stated that keeping in view the aforesaid factual position, as was stated before the learned Single Judge, the learned Single Judge disposed of the writ petition with a direction to the respondent-Council to decide the application seeking extension of approval of its D. Pharm and B. Pharm courses for the Academic Session 2026-2027, in view of the guidelines issued by the Hon'ble Supreme Court *vide* order dated 08.09.2025 passed in *Civil Appeal No. 9048/2012*.

9. The learned Single Judge has further directed that the said decision shall be taken, however, the SCN dated 10.12.2025 shall not come in the way of deciding the application moved by the appellant-University for the Academic Session 2026-2027.

10. The submission is that after the order dated 22.01.2026, the SCN dated 10.12.2025 is still being treated to be alive by the respondent-Council



and on that basis, several other actions have precipitated. It is further submitted that despite the observation made by the learned Single Judge in the impugned order dated 22.01.2026, where the statement made on behalf of the appellant-University to the effect that the SCN is a meaningless exercise was noticed, the respondent-Council is still acting on the basis of the said SCN.

11. Accordingly, we are of the opinion that the prayer for quashing of the SCN dated 10.12.2025 needs to be decided. For the said purpose, we find it appropriate to revive the proceedings of *W.P.(C) 926/2026* and request the learned Single Judge to adjudicate only prayer clause no. (b) made in the writ petition. Accordingly, the appeal along with pending applications stand disposed of in the following terms:

- (a) Proceedings of *W.P.(C) 926/2026* are revived only in relation to prayer clause no.(b).
- (b) The learned Single Judge is requested to expedite the proceedings of the said writ petition and conclude the same, as early as possible.
- (c) We make it open to the appellant-University to move an appropriate application in this regard before the learned Single Judge in *W.P.(C) 926/2026*.
- (d) Rest of the directions given by the learned Single Judge in his impugned order dated 22.01.2026 shall remain intact.

12. Learned counsel for the appellant-University informs the Court that pursuant to the order dated 22.01.2026, the inspection by the inspectors of the respondent-Council was conducted only on 28.03.2026 and the last date, as per the schedule given in the order dated 08.09.2025 passed by Hon'ble Supreme Court in *Civil Appeal No. 9048/2012*, for considering the



application seeking approval of the courses is 30.04.2026. Therefore, it appears that the respondent-Council is not proceeding with requisite pace.

13. Learned counsel for the respondent-Council, however, states that the inspector's report shall be immediately placed before the Executive Committee in the next meeting. We note the statement made by learned counsel for the respondent-Council and direct that the next meeting of the Executive Committee shall take place at the earliest, so that adequate time is available to the appellant-University, in case, any deficiency is point out in the inspection for removal of the same.

DEVENDRA KUMAR UPADHYAYA, CJ

ANISH DAYAL, J

APRIL 15, 2026/MJ