

ITEM NO.60 & 63

COURT NO.11

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 888/2022

N.K. COLLEGE OF PHARMACY & ORS.

Petitioner(s)

VERSUS

PHARMACY COUNCIL OF INDIA & ORS.

Respondent(s)

with

W.P.(C) No. 847/2022

Date : 21-10-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Mr. Vinay Navre, Sr. Adv.
Mr. Samrat Krishnarao Shinde, AOR

For Respondent(s) Mr. Tushar Mehta, SG
Ms. Maninder Acharya, Sr. Adv.
Mr. Gaurav Sharma, Adv.
Mr. Kirtiman Singh, Adv.
Mr. Waize Ali Noor, Adv.
Mr. Dhawal Mohan, Adv.
Mr. Prateek Bhatia, Adv.
Ms. Mitushi Goyal, Adv.
Ms. M. Kaur Sareen, Adv.
Ms. Vidhi Jain, Adv.
Mr. Sai Shashank, Adv.
Mr. Prateek Bhatia, Adv.

Mr. Anand Dilip Landge, Adv.
Mr. Aaditya Aniruddha Pande, AOR

UPON hearing the counsel the Court made the following
O R D E R

Shri Tushar Mehta, learned Solicitor General appearing for the petitioners, submits that the only concern of the Pharmacy Council

of India (for short 'PCI') is that the inspections were conducted between 2019-2020. He submits that there is quite a possibility that the infrastructure, teaching faculty and other facilities, which were available with the institution(s) at that time, may not be available today. He, therefore, submits that if, on the basis of said inspections, the applications of the petitioners are to be entertained, it may cause great prejudice to the students.

Learned Solicitor General fairly states that if an affidavit is filed by the petitioners before this Court stating therein that the infrastructure and other facilities, which were available at the time of inspection conducted in pursuance of the interim orders passed by the various High Courts are still available, then, in that event, their applications could be considered.

We, therefore, permit the petitioners to file an affidavit before this Court stating therein that all facilities including infrastructure, teaching and non-teaching staff etc., which were available at the time of inspection pursuant to the interim orders, are still available.

We further clarify that, if on the date of filing of the petitions, the petitioners had a valid No Objection Certificate (NOC) from the concerned State Governments and the requisite affiliation from the Universities/Boards concerned, the same shall be considered as a valid date for the present academic year.

We further clarify that the order passed today would also be applicable to all such applicants who are governed by the interim order passed by the Delhi High Court or any other High Court.

The PCI shall take decisions on the applications for grant of approval on or prior to 15.11.2022. If any appeals are filed before the Appellate Authority, the same shall be decided prior to 15.12.2022. In the facts and circumstances of the case, the last date of admission, insofar as new colleges are concerned, is extended till 30.12.2022.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)