



\$~15-17, 19, 21, 23&24

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

% *Date of Decision: 17th June, 2022*

15

+ W.P.(C) 9530/2022

SHREE BALAJI COLLEGE OF PHARMACY Petitioner

Through: Mr. Gunjan Kumar, Mr. R.K. Ruhil
and Mr. Anil Kumar, Advocates

versus

PHARMACY COUNCIL OF INDIA Respondent

Through: Mr. Kirtiman Singh, Central
Government Standing Counsel with Ms. Kunjala
Bhardwaj and Mr. Waize Ali Noor, Advocates

16

+ W.P.(C) 9531/2022

BATAN COLLEGE OF PHARMACY Petitioner

Through: Mr. Gunjan Kumar, Mr. R.K. Ruhil
and Mr. Anil Kumar, Advocates

versus

PHARMACY COUNCIL OF INDIA Respondent

Through: Mr. Kirtiman Singh, Central
Government Standing Counsel with Ms. Kunjala
Bhardwaj and Mr. Waize Ali Noor, Advocates

17

+ W.P.(C) 9532/2022

ROOP CHAND SAINI COLLEGE OF PHARMACY Petitioner

Through: Mr. Gunjan Kumar, Mr. R.K. Ruhil
and Mr. Anil Kumar, Advocates

versus

PHARMACY COUNCIL OF INDIA Respondent

Through: Mr. Kirtiman Singh, Central
Government Standing Counsel with Ms. Kunjala
Bhardwaj and Mr. Waize Ali Noor, Advocates



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W.P.(C) 9535/2022

NIRMAL SGR PHARMACY COLLEGE

..... Petitioner

Through: Mr. Gunjan Kumar, Mr. R.K. Ruhil
and Mr. Anil Kumar, Advocates

versus

PHARMACY COUNCIL OF INDIA

..... Respondent

Through: Mr. Kirtiman Singh, Central
Government Standing Counsel with Ms. Kunjala
Bhardwaj and Mr. Waize Ali Noor, Advocates

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W.P.(C) 9538/2022

RAMNARESH NANHKU COLLEGE
OF PHARMACY

..... Petitioner

Through: Mr. Gunjan Kumar, Mr. R.K. Ruhil
and Mr. Anil Kumar, Advocates

versus

PHARMACY COUNCIL OF INDIA

..... Respondent

Through: Mr. Kirtiman Singh, Central
Government Standing Counsel with Ms. Kunjala
Bhardwaj and Mr. Waize Ali Noor, Advocates

23

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W.P.(C) 9541/2022

NIGHTINGALE PHARMACY COLLEGE

..... Petitioner

Through: Mr. Gunjan Kumar, Mr. R.K. Ruhil
and Mr. Anil Kumar, Advocates

versus

PHARMACY COUNCIL OF INDIA

..... Respondent

Through: Mr. Kirtiman Singh, Central
Government Standing Counsel with Ms. Kunjala
Bhardwaj and Mr. Waize Ali Noor, Advocates

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W.P.(C) 9543/2022

THE ROYAL COLLEGE OF PHARMACY

..... Petitioner

Through: Mr. Gunjan Kumar, Mr. R.K. Ruhil
and Mr. Anil Kumar, Advocates



versus
PHARMACY COUNCIL OF INDIA Respondent
Through: Mr. Kirtiman Singh, Central
Government Standing Counsel with Ms. Kunjala
Bhardwaj and Mr. Waize Ali Noor, Advocates

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J (ORAL)

CM APPL. 28464/2022 (Exemption) in W.P.(C) 9530/2022
CM APPL. 28465/2022 (Exemption) in W.P.(C) 9531/2022
CM APPL. 28467/2022 (Exemption) in W.P.(C) 9532/2022
CM APPL. 28472/2022 (Exemption) in W.P.(C) 9535/2022
CM APPL. 28477/2022 (Exemption) in W.P.(C) 9538/2022
CM APPL. 28481/2022 (Exemption) in W.P.(C) 9541/2022
CM APPL. 28486/2022 (Exemption) in W.P.(C) 9543/2022

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

W.P.(C) 9530/2022, W.P.(C) 9531/2022, W.P.(C) 9532/2022,
W.P.(C) 9535/2022, W.P.(C) 9538/2022, W.P.(C) 9541/2022 and
W.P.(C) 9543/2022

3. Present writ petitions involve similar questions of law and are being decided by a common order. The writ petitions have been filed seeking directions to the Respondent to permit and allow the Petitioners to submit requisite applications for seeking approval for pharmacy courses for the academic session 2022-2023, in view of the fact that the Notifications dated 17.07.2019 and 09.09.2019 have been quashed.
4. Issue notice.
5. Mr. Kirtiman Singh, learned Central Government Standing Counsel accepts notice on behalf of the Respondent.
6. Learned counsel appearing on behalf of the Petitioners submits that Notifications dated 17.07.2019 and 09.09.2019 issued by the Respondent/



Pharmacy Council of India, have been quashed by this Court *vide* judgment dated 07.03.2022 in W.P.(C) 175/2021, however, despite the said judgment, Respondent is not opening the portal for the Petitioners to apply. He also relies on an order dated 31.05.2022, passed by a Co-ordinate Bench in a batch of petitions directing the Respondent to open the portal for the Petitioners therein to submit their applications.

7. Learned Central Government Standing Counsel seeks time to take instructions but does not dispute the fact that the Notifications dated 17.07.2019 and 09.09.2019 stand quashed *vide* judgment dated 07.03.2022 and also does not dispute the fact that the order dated 31.05.2022 passed by the Co-ordinate Bench is unchallenged.

8. In my considered view, cases of the Petitioners are squarely covered by the decision dated 07.03.2022 passed in W.P.(C) 175/2021 titled as ***Shaheed Teg Bahadur College of Pharmacy v. Pharmacy Council of India*** and the present writ petitions deserve to be allowed.

9. Accordingly, it is directed that Respondent shall open the portal, wherein the Petitioners would be entitled to submit their applications for the concerned courses for the academic session 2022-2023. Needless to state that the applications shall be processed in accordance with the laid down procedure and shall be subject to any order passed in SLP (C) 4862/2022, pending before the Supreme Court, which has been filed by the Respondent assailing the decision in W.P.(C) 175/2021 dated 07.03.2022.

10. Writ petitions are disposed of in the above terms.

JYOTI SINGH, J
(VACATION JUDGE)

JUNE 17, 2022/rk