

ITEM NO.1 Court 10 (Video Conferencing) SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).14740-14741/2020

(Arising out of impugned final judgment and order dated 06-11-2020 in WP No. 4908/2020 06-11-2020 in WP No. 4909/2020 passed by the High Court Of Judicature At Bombay At Aurangabad)

SHIVA TRUST PRATIBHATAI PAWAR COLLEGE OF PHARMACY Petitioner(s)

VERSUS

THE PHARMACY COUNCIL OF INDIA Respondent(s)

([PART-HEARD BY HON. K.M. JOSEPH AND HON. PAMIDIGHANTAM SRI NARASIMHA, JJ.]

(IA No. 126062/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 15364/2020 (IX)
(FOR ADMISSION and I.R. and IA No.132220/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT.

IA No. 133351/2020 - APPLICATION FOR PERMISSION

IA No. 132220/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 118/2021 (IX)

(FOR ADMISSION and I.R. and IA No.1093/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.1095/2021-EXEMPTION FROM FILING AFFIDAVIT

[SLP(C) NO. 118/2021 MAY BE SHOWN AGAINST SLP(C) NO. 117-118/2021])

Date : 20-01-2022 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.M. JOSEPH
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s) Mr. V. D. Hon, Sr. Adv.
Mr. S. S. Choudhari, Adv.
Mr. Sudhanshu S. Choudhari, AOR

For Respondent(s) Mr. Zoheb Hossain, AOR
Ms. Tulika Gupta, Adv.

Mr. Aaditya A. Pande, Adv.
Mr. Rahul Chitnis, Adv.
Mr. Sachin Patil, AOR.

Mr. Geo Joseph, Adv.
Ms. Shwetal Shepal, Adv

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

Learned counsel for the petitioner(s) seek permission to withdraw the special leave petitions with liberty to file writ petitions before the High Court wherein they can challenge the Regulations which have been made by the Pharmacy Council of India which came into force with effect from 09.10.2020 and, in particular, the scheme for approval of the D-Pharma course made under Section 12 of The Pharmacy Act, 1948 wherein there is a cap put on the number of admissions to D-Pharma course at 60 seats.

We permit the petitioner(s) to withdraw the special leave petitions. The special leave petitions are dismissed as withdrawn with aforesaid liberty.

The petitioner(s) can seek appropriate relief as they are advised to. We leave it open to the petitioner(s) to contend that as far as the petitioner(s) is/are concerned they would not be bound by the new Regulations and their Writ Petitions must be decided in terms of the earlier Regulations.

We also record the submissions of Mr. Zoheb Hossain, learned counsel appearing on behalf of the respondent - *The Pharmacy Council of India* that the petitioner(s) are actually bound by the new Regulations and would be governed by the same.

We also make it clear that we have not expressed any view on the merits of the contentions which have been taken by the parties.

(JAGDISH KUMAR)
COURT MASTER (SH)

(RENU KAPOOR)
BRANCH OFFICER