

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 38002/2017

(Arising out of impugned final judgment and order dated 23-06-2017 in WP No. 8021/2017 passed by the High Court Of Judicature At Bombay At Aurangabad)

THE PHARMACY COUNCIL OF INDIA

Petitioner(s)

VERSUS

BHAIRAVNATH NISARGA MANDALS

DIPLOMA IN PHARMACY COLLEGE & ORS.

Respondent(s)

(FOR I.R. and IA No.130973/2018-CONDONATION OF DELAY IN FILING and IA No.130976/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.130975/2018-EXEMPTION FROM FILING O.T. and IA No.130974/2018-CONDONATION OF DELAY IN REFILING)

Date : 24-09-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Zoheb Hossain, AOR
Mr. Piyush Goyal, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Exemption from filing O.T. is granted.

Exemption from filing c/c of the impugned order is granted.

Delay condoned.

This petition raises a question with regard to admission of students for a course in Pharmacy. According to All India Council for Technical Education, the College / University can admit 120 students. However, according to the Pharmacy Council of India, not more than 60 students can be admitted.

The High Court has directed the admission of 120 students subject to the condition that no equities will be created in favour of the students.

In our opinion, this puts the students in an awkward situation, in the sense, that if it is later on found that they are not entitled to admission, 60 students have to give their studies midway.

Similarly, it also put the College / University in awkward situation since in some instances, it may not have the requisite facilities to admit such a large number of students without any adequate faculty.

Under the circumstances, we issue notice and require the Registry to compile the list of all such cases with the assistance of learned counsel for the petitioner.

Notice be made returnable within two weeks.

Dasti, as well.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
ASSISTANT REGISTRAR