

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP(C) No. 3248/2025

CM No. 8062/2025

CM No. 7410/2025

**Prabha Harjilal College of
Pharmacy & Paraclinical Sciences**

.....Appellant(s)/Petitioner(s)

Through: Mr. Ankush Manhas, Advocate

vs

Pharmacy Council of India & Ors.

..... Respondent(s)

Through: Mr. Anishwar Chatterji Koul, CGSC

Mr. Raman Sharma, AAG

Mr. A.P. Singh, Advocate

CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE

ORDER

(25.02.2026)

1. The petitioner, through the medium of the present petition, seeks quashing of the impugned decision vide letter dated 17.02.2025 issued by respondent No. 1, whereby the petitioner's application for increase in intake capacity in the B.Pharm course from 60 to 100 seats for the academic session 2025-2026, has been rejected. The petitioner further seeks a direction commanding respondent No.1, namely, the Pharmacy Council of India to forthwith grant approval for increase in intake in the B.Pharm course from 60 to 100 seats in the petitioner college, specifying the relevant academic session in terms of paragraph 41 of the judgment rendered in Parshavnath Charitable Trust Vs. AICTE, by treating the petitioner's pending application and appeal dated 01.03.2025 as subsisting and valid the ensuing academic session, without requiring submission of any fresh application or payment of additional fee.

2. Learned counsel for the petitioner submits that the respondent–Pharmacy Council of India (PCI) has opened its online portal pursuant to the orders passed by the Hon’ble Supreme Court for submission of applications, and that the petitioner intends to apply afresh seeking increase in the intake capacity of students from 60 to 100 seats in the B.Pharm course. However, it is alleged that, as per the requirements of respondent No. 1, the consent of the examining authority, which in the present case is the respondent–University of Jammu, and the No Objection Certificate (NOC) from the State Government, i.e., the Government of Jammu and Kashmir, have not been issued to the petitioner despite repeated requests made in that regard.
3. It is further submitted that upon approaching the respondent–University, the petitioner was directed to first obtain a No Objection Certificate (NOC) from the Government; however, the Government has declined to issue the same, stating that the decision in this regard is required to be taken by the University of Jammu. As such, the petitioner has been made to run from pillar to post, thereby rendering him unable to complete all requisite formalities for submission of the online application on the portal of respondent No. 1. It is, therefore, further prayed that an appropriate interim direction be issued so that the application of the petitioner is entertained by the Pharmacy Council of India for consideration of approval for increase in intake capacity of the college from 60 to 100 seats in the B.Pharm course, particularly in view of the fact that the said portal is open only up to the 27th of this month.
4. A short affidavit has been filed on behalf of respondent No. 1 indicating that the PCI has designed a Standard Inspection Form (SIF) in accordance with the requirements of the Education Regulations, which an institution

seeking approval from the PCI is required to submit online, and that **consent of the examining authority** willing to conduct examinations for the students admitted by the institutions, as well as a **No Objections Certificate (NOC)** from the State Government, are prerequisites for consideration of any application for approval of the course.

5. Respondents are directed to file reply/objections before next date of hearing.
6. List on **06.04.2026**.
7. Meanwhile, respondent No. 1 is directed to entertain the Standard Inspection Form (SIF) submitted by the petitioner through online mode and to process the application without insisting, at this stage, upon completion of formalities such as submission of the NOC from the Government of Jammu & Kashmir and the consent of the examining authority, namely the University of Jammu, which may be furnished in due course before a final decision is taken on the application. The respondents—Government of Jammu and Kashmir, through its Health & Medical Education Department, and the University of Jammu are directed to consider to issue NOC and consent of examining authority as required in accordance with law.

(M A CHOWDHARY)
JUDGE

Jammu
25.02.2026
Amit