

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). 2890/2023

(Arising out of impugned final judgment and order dated 09-01-2023 in WC No. 8968/2022 passed by the High Court of Judicature at Allahabad, Lucknow Bench)

RANNO DEVI PANDIT DEVNARAYAN SHUKLA SHIKSHAN SANSTHAN Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.27138/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.27140/2023-EXEMPTION FROM FILING O.T. and IA No.27141/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

W.P.(C) No. 307/2023 (X) (FOR ADMISSION)

W.P.(C) No. 297/2023 (X)
(IA No. 43845/2023 - EXEMPTION FROM FILING O.T.)

W.P.(C) No. 309/2023 (X)
(FOR ADMISSION and IA No.46203/2023-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 310/2023 (X)
(FOR ADMISSION and IA No.46379/2023-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 306/2023 (X)
(FOR ADMISSION and IA No.45928/2023-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 364/2023 (X) (FOR ADMISSION)

W.P.(C) No. 372/2023 (X) (FOR ADMISSION)

W.P.(C) No. 400/2023 (X) (FOR ADMISSION)

W.P.(C) No. 339/2023 (X) (FOR ADMISSION)

W.P.(C) No. 341/2023 (X) (FOR ADMISSION)

W.P.(C) No. 355/2023 (X) (FOR ADMISSION)

W.P.(C) No. 318/2023 (X) (FOR ADMISSION)

W.P.(C) No. 336/2023 (X) (FOR ADMISSION)

W.P.(C) No. 380/2023 (X) (FOR ADMISSION)

W.P.(C) No. 327/2023 (X) (FOR ADMISSION)

W.P.(C) No. 371/2023 (X) (FOR ADMISSION)

W.P.(C) No. 359/2023 (X)
(FOR ADMISSION and IA No.55198/2023-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 365/2023 (X)
(FOR ADMISSION and IA No.57106/2023-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 346/2023 (X)
(FOR ADMISSION and IA No.53023/2023-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 350/2023 (X)
(FOR ADMISSION and IA No.54034/2023-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 427/2023 (X) (FOR ADMISSION)

W.P.(C) No. 360/2023 (X)
(FOR ADMISSION and IA No.55344/2023-EXEMPTION FROM FILING O.T.)

SLP(C) No. 2936/2023 (XI)
(IA No.27665/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.27672/2023-EXEMPTION FROM FILING O.T. and IA No.27669/2023-PERMISSION TO FILE LENGTHY LIST OF DATES and IA No.27675/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 2939/2023 (XI)
(FOR ADMISSION and I.R. and IA No.27712/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.27714/2023-EXEMPTION FROM FILING O.T. and IA No.27710/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 3019/2023 (XI)
(FOR ADMISSION and I.R. and IA No.28431/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.28432/2023-EXEMPTION FROM FILING O.T. and IA No.28433/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 3297/2023 (XI)
(IA No.31862/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.31863/2023-EXEMPTION FROM FILING O.T. and IA No.31861/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 3304/2023 (XI)
(FOR ADMISSION and I.R. and IA No.31954/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.31955/2023-EXEMPTION FROM FILING O.T. and IA No.31952/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 4269/2023 (XI)
(FOR ADMISSION and I.R. and IA No.43638/2023-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT and IA No.43644/2023-EXEMPTION FROM
FILING O.T. and IA No.43642/2023-PERMISSION TO FILE LENGTHY LIST OF
DATES)

W.P.(C) No. 507/2023 (X) (FOR ADMISSION)

WITH
SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 7131/2023 (SEC.XI)
(FOR ADMISSION and I.R. and IA No.85056/2023-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT and IA No.85059/2023-EXEMPTION FROM
FILING O.T. and IA No.85062/2023-CONDONATION OF DELAY IN REFILEING /
CURING THE DEFECTS and IA No.85054/2023-PERMISSION TO FILE
ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH
SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 17417/2023 (SEC.XI)
(FOR ADMISSION and I.R. and IA No.96883/2023-CONDONATION OF DELAY
IN FILING and IA No.96886/2023-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT and IA No.96889/2023-EXEMPTION FROM FILING O.T.
and IA No.96880/2023-PERMISSION TO FILE PETITION (SLP/TP/WP/..) and
IA No.96885/2023-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

WITH Diary No(s). 16790/2023 (XI)
(FOR ADMISSION and I.R. and IA No.97095/2023-CONDONATION OF DELAY
IN FILING and IA No.97089/2023-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT and IA No.97092/2023-EXEMPTION FROM FILING O.T.
and IA No.97094/2023-PERMISSION TO FILE PETITION (SLP/TP/WP/..) and
IA No.97088/2023-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 09-05-2023 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SANJAY KAROL
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Mr. Brijendra Singh, Adv.
Mr. Shishir Kumar Saxena, Adv.
Mr. Praveen Swarup, AOR
Mr. D.K. Sabat, Adv.
Mr. Jagdamba Prasad, Adv.
Mr. Piyush Chhabra, Adv.

Mr. Keshav Mital, Adv.
Ms. Akanksha Mehra, AOR

Mr. Gaurav Arora, Adv.
Ms. Shagufa Salim, AOR

Ms. Binisa Mohanty, Adv.
Mr. Mritunjay Kumar Sinha, AOR
Mr. Amitesh Kumar, Adv.
Ms. Priti Kumari, Adv.

Mr. Mohinder Jit Singh, AOR

Mr. Ravikant, Adv.
Mr. Mayank Manish, Adv.
Mr. Vivek Singh, Adv.
Mr. C.P. Rajwar, Adv.
Ms. Somi Sharma, Adv.
Mr. Chandra Prakash, AOR

For Respondent(s)

Mr. Mritunjay Kumar Sinha, AOR
Mr. Amitesh Kumar, Adv.
Ms. Priti Kumari, Adv.

(For Pharmacy
Council of India)

Mr. Somiran Sharma, Adv.
Dr. Amit George, Adv.
Mr. Mobashshir Sarwar, Adv.
Mr. Swaroop George, Adv.
Mr. Piyo Harold, Adv.
Mr. Amol Acharya, Adv.
Mr. Rayadurgam Bharat, Adv.
Mr. Tanmay Cheema, Adv.
Mr. Sarthak Gupta, Adv.
Ms. Madhavi Khandelwal, Adv.

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

1. Permission to file special leave petition(s) is granted.
2. Delay condoned.
3. All these petitions arise out of peculiar facts and circumstances.
4. In view of the order passed by this Court in Misc. Application No. 2174 of 2022 in C.A. No. 9048 of 2012 titled as "Parshavanath Charitable Trust & Anr. v. All India Council for Tech. Education & Ors.", the Pharmacy Council of India was required to consider the cases of the institutions for grant of permission within a stipulated time period.
5. The petitioners cases were considered and they were granted permission for the academic year 2022-2023. However,

on account of delay in deciding their cases, they could not get requisite permission from the State Government and the consequent affiliation from the respective Universities.

6. We had already clarified, in SLP(C) No.1793/2023 etc., that we would not consider the cases for grant of permission for the academic year 2022-2023. Further in that order Mr. Somiran Sharma, learned counsel appearing for the Pharmacy Council of India, has fairly stated that the permission granted for the academic year 2022-2023 would be considered to be valid for the academic year 2023-2024.

7. In that view of the matter, the petitioners will have sufficient time to pursue the matter with their respective State Governments and the respective Universities for the purpose of grant of permission and affiliation, respectively.

8. In view of the above, we direct the Pharmacy Council of India to issue such permissions within a period of one week from today.

9. On such permission being granted, the respective State Governments and the respective Universities would consider the issue with regard to grant of permission and affiliation within a period of four weeks from the date of permission granted by the Pharmacy Council of India.

10. In view of the above, these petitions are disposed of accordingly.

11. The Registry is directed to supply a copy of this order to the learned counsel for the Pharmacy Council of India, for compliance.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)