



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 3RD DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO.200590 OF 2025 (EDN-REG)

BETWEEN:

GULBARGA COLLEGE PHARMACY
SHARAN SIRASAGI, KALABURAGI CITY-585102
REPRESENTED BY ITS PRINCIPAL
SRI. ANIL S/O SHANKAR RATHOD
AGED ABOUT 32 YEARS OCC. PRINCIPAL
R/O GOLA (B) VILLAGE,
TQ. ALAND DIST. KALABURAGI-585311.

...PETITIONER

(BY SRI. SHRAVAN KUMAR MATH, ADVOCATE)

AND:

1. PHARMACY COUNCIL OF INDIA
THROUGH ITS REGISTER-CUM-SECRETARY
1-300 3RD FLOOR, TOWER-I, WORLD TRADE CENTER,
NAVROJI NAGAR, NEW DELHI-110029.
2. THE STATE OF KARNATAKA
THROUGH DEPARTMENT OF
HEALTH AND FAMILY WELFARE
REPRESENTED BY SECRETARY
BENGALURU-560001.
3. BOARD OF EXAMINATION AUTHORITY
REPRESENTED BY ITS MEMBER SECRETARY
(D PHARMACY) 3RD FLOOR,
GOVT. COLLEGE PHARMACY,
SUBBAIH CIRCLE DR.KALINGA ROAD,





BENGALURU-560027.

...RESPONDENTS

(BY SRI. SANJEEVKUMAR C. PATIL, ADVOCATE FOR R1;
SRI. SHIVAKUMAR R. TENGLI, AGA FOR R2 & R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ALLOW THIS WRIT PETITION BY ISSUING A WRIT IN THE NATURE OF CERTIORARI BY QUASHING THE IMPUGNED ORDER OF REJECTION OF APPROVAL TO THE PETITIONER COLLEGE D. PHARMACY COURSE FOR THE ACADEMIC YEAR 2024-25 WHICH IS AT ANNEXURE-J DATED 07.11.2024 COMMUNICATED ON 09.12.2024 PASSED BY R1. IN THE INTEREST OF JUSTICE. B) ALLOW THIS WRIT PETITION BY ISSUING A WRIT OR ORDER OR DIRECTION IN THE NATURE OF MANDAMUS BY DIRECTING THE RESPONDENTS TO GRANT APPROVAL TO THE PETITIONER COLLEGE FOR THE ACADEMICS YEAR 2024-25 FOR THE D. PHARMACY COURSE, IN THE INTEREST OF JUSTICE. C) TO GRANT ANY OTHER RELIEF TO WHICH THE PETITIONER COMPANY IS FOUND ENTITLED IN THE FACTS AND CIRCUMSTANCES OF THE CASE.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

1. In this petition, the petitioners seek the following reliefs:

(a) Allow this writ petition by issuing a writ in the nature of certiorari by quashing the impugned order of rejection of approval to the petitioner college



D.Pharmacy Course for the academic year 2024-25 which is at Annexure-J dated 07.11.2024 communicated on 09.12.2024 passed by respondent No.1 in the interest of justice;

(b) Allow this writ petition by issuing a writ or order or direction in the nature of mandamus by directing the respondents to grant approval to the petitioner college for the academic year 2024-25 for the D.Pharmacy Course in the interest of justice;

(c) To grant any other relief to which the petitioner company is found entitled in the facts and circumstances of the case.

2. Heard the learned counsel for the petitioner, learned counsel for the respondent No.1, learned Additional Government Advocate for respondent Nos.2 and 3 and perused the material on record.

3. The issue in controversy involved in the present petition is directly and squarely covered by the following Judgments of this Court :

- (a) Writ Petition No.7801/2025 (Edn-Res)
 - (b) Writ Petition No.200181/2025 (Edn-Reg)
- C/w.



Writ Petition No.200281/2025;

Writ Petition No.200352/2025;

Writ Petition No.200468/2025.

4. In Writ Petition No.7801/2025 filed by the **Bangalore City College of Pharmacy**, (supra) this Court has held as under:

ORAL ORDER

In this petition, petitioner seeks for the following reliefs and interim reliefs:-

"PRAYER

(i) To quash the impugned Order bearing No.EC420, dated 09.12.2024, produced at Annexure-'M' issued by the 2nd Respondent, rejecting the approval for the year 2024-25, by issuing a writ of certiorari.

(ii) Direct the respondents to grant the approval for the year 2024-25 by issuing a writ of mandamus;

(iii) Issue such other writ, order or directions as this Honourable Court may deem fit in the circumstances of the case."

INTERIM PRAYER

Pending disposal of the above writ petition, petitioner prays that this Hon'ble Court may kindly be pleased to stay all further proceedings pursuant to the impugned Order bearing No.EC420, dated 09-12-2024, produced at Annexure-'M' issued by the 2nd respondent and issue directions to the respondents to permit the petitioners to admit the students to 1st year D. Pharma for the year 2024- 25."



2. Heard learned counsel for the petitioner, learned HCGP for respondent Nos.1 and 4 and learned counsel for respondent Nos.2 and 3 and perused the material on record.

3. When the matter came up before this Court on 17.03.2025, this Court passed the following interim order: "Sri. S.S. Haveri, learned counsel is directed to accept notice for respondent Nos.2 and 3. Learned AGA is directed to accept notice for respondent Nos.1 and 4. Under identical circumstances, in relation to the Oriental College of Pharmacy, the Co-ordinate Bench of this Court in W.P.No.200467/2025 passed an interim order dated 20.02.2025, which reads as under:

"Sri. S.S.Haveri is directed to accept notice for respondent No.1.

Learned Additional Government Advocate is directed to accept notice for respondent Nos.2 and 3. Pending consideration of the writ petition, the petitioner is permitted to admit students for the academic year 2024 – 2025 for the 1st year of D-Pharmacy course. However, this is subject to outcome of this writ petition. In the meanwhile, the respondent No.1 is directed to report whether the petitioner has complied the observations made by the respondent No.1 at its E.C.Meeting dated 30.09.2024."

In view of the aforesaid facts and circumstances and the interim order passed under identical circumstances by this Court referred to supra, there shall be an interim order of stay as prayed for by the petitioner in the present petition till the next date of hearing.

Office objections to be complied with by the next date of hearing.

Re-list on 24.03.2025.

Hand delivery of this order is permitted."

4. Learned counsel for the petitioner has filed a memo enclosing the following documents:

a. Copy of the Decision Letter Dr. issued by Respondent No.2 Dt. 30.09.2025.



b. Copy of the interim order passed by the Hon'ble High Court of Karnataka in W.P.No.7801/2025.

c. Copy of the E-mail Representation sent by the Petitioner to Respondent No.2. Dt. 30.06.2025.

d. Copy of the E-mail Representation sent by the Petitioner to Respondent No.2. Dt.18-09-2025.

e. Copy of the letter issued by the Petitioner to Respondent 4 and Food Safety and Drug Administration Department Dt. 04.10.2025.

f. Copy of the letter issued by the Petitioner to the Food Safety and Drug Administration Department dt. 03.11.2025.

The Petitioner hereby prays to this Hon'ble Court that this memo may be considered in the interest of justice and equity."

5. As can be seen from the documents produced by the petitioner, respondents have granted approval in favour of the petitioner-Institution up to the academic year 2025-26. Under these circumstances, without expressing any opinion on the merits/demerits of rival contentions, I deem it just and appropriate to dispose of this petition reserving liberty in favour of the parties circumstances, I deem it just and appropriate to dispose of this petition by quashing the impugned order dated 09.12.2024, vide Annexure-M, under which approval for the year 2024-25 has been rejected by the respondents.

6. In the result, I pass the following:

ORDER

(i) The petition is allowed in view of extention of approval in favour of the petitioner-Institution up to the academic year 2025-26.

(ii) The impugned order at Annexure-M dated 09.12.2024 issued by respondent No.2 is hereby quashed.

(iii) The respondents are directed to open the website/portal and permit the petitioner/students to



upload the details of the students and also permit the students of the petitioner/Institution to attend the ensuing examination for the academic year 2025-26, immediately, within any delay.

5. In Writ Petition No.200818/2025 filed by **Shetty Institute of Pharmaceutical Sciences**, this Court has held as under:

ORAL ORDER

1. *In the above captioned writ petitions, the petitioners have sought for a writ of certiorari with a prayer to quash the impugned order/endorsement dated 09.12.2024 issued by the Pharmacy Council of India, rejecting the approval of the petitioner-Institution for the year 2024-25 and also to direct the respondents to grant approval for the said year.*

2. *Heard the learned counsel for the parties.*

3. *Learned counsel for the petitioners submits that, for the academic year 2025-2026, the Pharmacy Council of India has granted approval in favour of the petitioner Institution. In identical circumstances, the co-ordinate Bench of this Court in W.P.No.7801/2025 taking into consideration that the petitioner-Institution was granted approval for the academic year 2025-2026 has allowed the writ petition with consequential directions. He submits that, similar orders were passed in favour of various institutions and therefore, the said benefit may be extended even to the petitioner-Institution.*

4. *Per contra, learned counsel appearing for the Pharmacy Council of India placing reliance on the Judgment of the Hon'ble Supreme Court in the case of **Central Council for Indian Medicine Vs. Karnataka Ayurveda Medical College and others**, reported in **2022 LiveLaw (SC) 365**, submits that, merely for the reason that for the subsequent year the approval has been granted, the same would not enure to the benefit of the Institution even for the year academic year. Accordingly, he prays to dismiss the petition.*



5. *The material on record would go to show that, all the petitioner-Institutions were granted approval for admitting students to B-Pharmacy Course prior to the academic year 2024-2025 and it is only for the year 2024-25 their prayer for granting approval was rejected. It is under these circumstances, the petitioners had approached this Court and on the strength of the interim order passed by this Court the students of the petitioner-Institutions were permitted to write the first year B-Pharmacy Course examinations that was held for the academic year 2024-2025.*

6. *Learned counsel for the petitioner has filed a memo in each of this writ petition and has produced copy of the approval granted by the Pharmacy Council of India in favour of the petitioners for the academic year 2025-2026.*

7. *In identical circumstances, the co-ordinate Bench of this Court in W.P.No.7801/2025 disposed of on 15.12.2025 taking into consideration that the similarly situated Institution at Bengaluru was granted approval for the academic year 2025-2026, has disposed of the said writ petition quashing similar impugned orders dated 09.12.2024 wherein, the approval for the academic year 2024-2025 was rejected by the Pharmacy Council of India.*

8. *Learned counsel for the petitioners has submitted that, similar orders have been passed in favour of many other institutions situated across the State and none of the orders have been questioned till date. The said submission is not seriously disputed by the learned counsel appearing for the Pharmacy Council of India.*

9. *If that is so, I do not find any good reason as to why the petitioner Institutions also should not be extended the very same benefit which has been extended to similarly situated other institutions in other parts of the State.*

10. *The Judgment in the case of **Central Council for Indian Medicine**, (supra) on which reliance has been placed by the learned counsel for the respondent has been passed after considering the provisions of Indian Medicine Central Council Act, 1970, and the regulations framed under the said Act. When similarly situated other institutions who are covered by the provisions of the Pharmacy Act, 1948 and the regulations framed*



therein have been extended the benefit of the order passed by the co-ordinate Bench of this Court in W.P.No.7801/2025, I do not find any good ground to reject the same to the petitioners herein, more so, when the orders passed by the co-ordinate Bench of this Court has not been assailed by the Pharmacy Council of India till date.

11. Accordingly, the following:

ORDER

(i) *Writ Petitions are allowed;*

(ii) *The impugned order dated 09.12.2024 issued by the Pharmacy Council of India rejecting the approval for the petitioner-Institutions for the year 2024-2025 are quashed;*

(iii) *The respondents are directed to open the website/portal and permit the petitioner/students to upload the details of the students and also permit the students of the petitioner Institutions to attend the ensuing examination for the academic year 2025-2026, i.e. scheduled to commence from **07.04.2026** without there being any delay.*

6. Accordingly, the following:

ORDER

(i) The petition is hereby allowed and disposed of in terms of the aforesaid Judgments;

(ii) The impugned order at Annexure-J dated 07.11.2024 issued by respondent No.1 is hereby quashed;

(iii) The respondents are directed to open the website/portal and permit the



petitioner/students to upload the details of the students and also permit the students of the petitioner/Institution to attend the ensuing examination for the academic year 2024-25, immediately, within any delay.

**Sd/-
(S.R.KRISHNA KUMAR)
JUDGE**

SVH
LIST NO.: 1 SL NO.: 14
CT:SI