CNR No: PHHC011190882026
2026:PHHC:192623

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206 **CWP-22228-2026(O&M)**
Reserved on: 14.09.2026
Pronounced on:15.10.2026
Uploaded on:17.10.2026

Somany College of Pharmacy **…Petitioner**

V/s

Pharmacy Council of India and Others

…Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE RAJESH GAUR

Present: Mr. Gaurav Mohunta, Sr. Advocate with
Mr. Pratyush Sood, Advocate
Mr. Sategendia Yadav, Advocate
for the petitioner.

Mr. Varun Gupta, DAG, Haryana.

Mr. Zorawar Singh Chauhan, Advocate
for respondent No.1-PCI.

Mr. Aditya Gautam, Advocate
for respondent No.2.

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SUVIR SEHGAL, J (ORAL)

1. Petitioner-College has approached this Court under Article 226/227 of the Constitution of India for quashing amended decision dated 30.04.2026 Annexure P13 taken by Respondent No.1 whereby approval for commencement of Bachelor of Pharmacy (B.Pharm.) course was granted for the Session 2027-28 instead of 2026-27. A further direction has been sought to Respondent No. 1 to restore the earlier communication dated 14.04.2026 Annexure P9, and permit the petitioner to participate in the admission/counselling process for B.Pharm. course, for the academic session 2026-27.

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2. An examination of the record shows that petitioner had applied for introduction of a new B.Pharm. course with an intake of 60 seats. Upon scrutiny of petitioner's application, respondent No. 1-Pharmacy Council of India (PCI), observed that petitioner had not submitted the consent of affiliation from the examining authority and a No Objection Certificate (NOC) from the State Government for the commencement of the B.Pharm. course for the academic session 2026-27 within the prescribed period. Vide decision dated 23.01.2026, Annexure P3, petitioner's application for introduction of new B.Pharm. course for the academic session 2026-27 was rejected as both the documents were mandatory. Petitioner obtained affiliation consent from Pt. Bhagwat Dayal Sharma, University of Health Sciences, Rohtak, on 23.02.2026, Annexure P4, and a NOC from the State Government on 28.11.2025 (A/P-1). Both the documents were tendered in the office of respondent No.1 by way of a covering letter dated 25.02.2026, Annexure P6. On 06.03.2026, Annexure P7, respondent No. 1 initiated physical inspection of the institute, which was carried out on 08.03.2026. On 14.04.2026, Annexure P9, respondent No.1 sent an order granting approval for starting new B.Pharm. course for the academic session 2026-27 with an intake of 60 seats along with an approval for extension of Diploma in Pharmacy (D.Pharm.) course for the same session 2026-27. On the basis of the approval letter, petitioner applied for affiliation with the university. However, vide impugned amended decision dated 30.04.2026, Annexure P13, respondent No.1 is allegedly unilaterally amended the approval letter Annexure P9, by changing the approval for the new B.Pharm. course from the current academic session to the next academic session, viz., 2027-28.

3. Mr. Gaurav Mohanta, learned senior counsel for the petitioner, has

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urged that once approval was granted, vide communication Annexure P9, indicating academic session 2026-27, respondent No.1 could not alter it by issuing the impugned amended decision Annexure P-13, moreso without affording an opportunity of hearing. Referring to Section 13 (1) of the Pharmacy Act 1948, it has been contended that approval, once granted could not be withdrawn without following the procedure laid down in the statute. Placing reliance upon the judgments of Supreme Court in ***Narender Singh Versus State of Haryana and others*** (2022) 3 SCC 286 and ***Laxmi Saroj and others Versus State of Uttar Pradesh and others*** (2022) 17 SCC 477, it has been contended that there was no lapse on the part of the petitioner in producing the statutory documents and that petitioner could not be penalised for the delay. He urges that the necessary documents were produced as soon as they were made available much prior to the counselling for the session 2026-27 and respondent No.1 was bound to accept them and grant the necessary approval for the current academic session.

4. Writ petition has been opposed by respondents No.1 and 2 by filing separate written statements. In their response, respondent No.1 has taken a stand that the statutory documents were furnished belatedly therefore, PCI decided to process petitioners' case for the next academic session 2027-28. Reference has been made to the communication dated 06.03.2026, Annexure P7, to point out that inspectors were specifically asked to carry out the inspection of the College for the new B.Pharm. course to be undertaken for the session 2027-28 while the existing D.Pharm. course was considered for the current academic session 2026-27. A categoric stand has been taken that communication, Annexure P-9, was issued due to a bona fide error, which was corrected by subsequent communication (A/P-13).

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5. Having heard counsels for the parties and considering their respective stand, this Court does not find any merit in the arguments addressed by learned senior counsel. Material placed on the record by respondent No.1 demonstrates that communication, Annexure P-9, insofar as it refers to new B.Pharm. course for the academic session 2026-27 was due to an inadvertent error, which was corrected by a subsequent decision, Annexure P-13. After making the rectification, portal of respondent No.1 was accordingly corrected and petitioner was informed that approval for commencement of the new B.Pharm. course would operate for the academic session 2027-28. Petitioner cannot derive any enforceable right from an erroneous communication, moreso, when it did not satisfy the mandatory requirement for consideration of its application for commencement of B.Pharm. course for session 2026-27 by prescribed cut-off date.

6. The schedule for submitting an application as well as the necessary documents for grant of permission has been approved by the Supreme Court vide order dated 08.09.2025. The relevant extract of the schedule which has been reproduced in tabular form in the order of the Supreme Court, is reproduced here :-

Event	**Schedule**
Institution will register for issuance of PCI Code for submission of application for the first time and submit the statutory documents at the same time. If the documents of the Institutions are found to be satisfactory by the Council, the Institution will be allowed to submit the SIF along with PERC as per the standards prescribed in Scheme formulated by the Council.	Throughout the year (365 days)
Receipt of SIF along with PERC	If the Institution submits the SIF along

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	with PERC before **1st November** of the previous year, the application shall be processed for the current academic session, however, if the Institution submits the application on and after 1st November of the previous year, the application shall be considered for the next to next academic session.
Statutory Documents	**Inspection will not be done without submission of statutory Documents. In special circumstances, the statutory documents shall be submitted within 15 days from submission of SIF.** On or before **15 November.**

7. It is clear from the above that application (SIF) along with PERC has to be submitted by institutes desirous of starting the B.Pharm. course before 1st November of the previous calendar year. Supreme Court has mandated that as the inspection of the institution cannot be carried out without the statutory documents, in special circumstances these documents can be submitted within 15 days from the last date of submission of the application that is, on or before 15th November of the previous calendar year. Admitted case of the petitioner is that consent of affiliation was issued by respondent No.2-University on 23.02.2026, Annexure P-4, which was later submitted by petitioner with respondent No.1 on 25.02.2026. Although, petitioner did possess the NOC from the State Government, but record reveals that it was submitted for the very first time along with the covering letter dated 25.02.2026, Annexure P6. Respondent No.1, being a statutory regulatory authority governing pharmacy education in India, is bound to adhere to the prescribed approved schedule and the applicable statutory framework. There can be no deviation from the time schedule laid down by the Supreme Court in Civil Appeal No.9048-2012

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titled as ***Parshavanath Charitable Trust and Others Versus All India Council for Technical Education and Others***. Mere fact that petitioner-Institution underwent inspection or subsequently fulfilled the necessary requirements cannot relate the statutory approval to the earlier academic session nor can the petitioner derive any benefit from it.

8. Both the judgments relied upon by senior counsel for the petitioner pertain to the delay in submission of the requisite NOC by a candidate who had been selected for a government post and are, therefore, are not applicable to the facts of the present case. The judgments are clearly distinguishable. This Court does not find any illegality or arbitrariness in the impugned amended decision, Annexure P13, whereby approval granted to the petitioner for commencement of B.Pharm. course has been indicated to the academic session 2027-28.

9. Finding no merit in the writ petition, it is dismissed though with no order as to costs.

10. Pending miscellaneous application(s) if any, shall stand disposed of.

(SUVIR SEHGAL)
JUDGE

(RAJESH GAUR)
JUDGE

October 15, 2026
Poonam

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

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