

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 7080 of 2018**

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L J INSTITUTE OF PHARMACY

Versus

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION

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Appearance:

MR DC DAVE LD.SR.ADV. WITH MR UDIT N VYAS(9255) for the
PETITIONER(s) No. 1

MRS NISHA M PARIKH(2397) for the RESPONDENT(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE S.H.VORA**Date : 19/06/2018****ORAL ORDER**

1. By way of the present petition under Article 226 of the Constitution of India, the petitioner challenges the order/direction dated 10.04.2018, copy whereof, is annexed at Annexure-F to the present petition whereby, the respondent granted extension of approval for admitting 100 Under Graduate students in Pharmacy Course instead of 180 as approved as per order dated 10.04.2018 annexed at Annexure-E to the petition.

2. According to the respondent, the Pharmacy Council of India granted 100 intakes for Under Graduate Pharmacy Course for the year 2018-19. The respondent approved intake for B.Pharm course for 100 seats and such intake for the said B.Pharm course is in line of Pharmacy Council of India Regulation.

3. Having heard submissions made at bar by learned Senior Counsel Mr.D.C. Dave appearing with learned advocate Mr.U.N.

Vyas for the petitioner and learned advocate Mrs.N.M. Parikh for the respondent, it appears that similar question arose before the different High Courts in respect of intake of students prescribed by AICTE V/s. prescribed by or not approved by the Pharmacy Council of India. After considering the various judgments and orders, in case of L.J. Institute of Pharmacy V/s. Union of India and others rendered in Special Civil Application No.9506 of 2016, in an identical fact situation, this Court has granted interim relief which, in the facts and circumstances of the present case, requires to be granted.

4. The petitioner has made out a case and, therefore, **Rule.** Relief in terms of para 29(b) is granted subject to condition that;

(i) Admissions to the students beyond 100 seats shall be treated as provisional admissions and their admission shall remain subject to out-come of the present petition so that, the students are put to notice about pendency of the present petition.

THE HIGH COURT
OF GUJARAT

(S.H.VORA, J.)

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