HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

WRIT - C No. - 12824 of 2025

Lko. Model College Of Pharmacy Thru. Its Director Shri Shashank Tiwari .....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Tech. Edu. Deptt. Lko. And Another .....Respondent(s)

Counsel for Petitioner(s) : Bal Keshwar Srivastava, Desh Deepak Singh
Counsel for Respondent(s) : C.S.C., Atul Kumar Dwivedi

In Chamber

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Sri Bal Keshwar Srivastava, Sri Desh Deepak Singh and Ms. Nandini Verma, the learned counsel for the petitioner, Sri Nishant Shukla, the learned Additional Chief Standing Counsel appearing on behalf of the State of Uttar Pradesh, Sri Atul Kumar Dwivedi, the learned counsel for the opposite party no.2 i.e. Dr. A.P.J. Abdul Kalam Technical University, Lucknow.

2. By means of the instant petition filed under Article 226 of the Constitution of India the petitioner has sought issuance of a writ of mandamus commanding Dr. A.P.J. Abdul Kalam Technical University to extend the counseling and admission process for pharmacy courses for the academic session 2025-26 till 31.12.2025.

3. The petitioner has pleaded that on 19.12.2025 the Hon'ble Supreme Court has passed the following order in the case of Parshavanath Charitable Trust and others Vs. All India Council for Technical Education and others: Civil Appeal No.9048 of 2012:

"1. Application for permission to file impleadment as well as the impleadment application being IA No.328920 of 2025 and 328937 of 2025 respectively are allowed.

2. It is evident that there are large number of vacant seats for the various pharmacy courses in the State of Madhya Pradesh.

3. Having heard the learned counsel for applicant as also the learned counsel for the State and Pharmacy Council for India, we are of the opinion that the date of counselling for the academic session 2025-26 should be extended till 31.12.2025.

4. Ordered accordingly.

5. With these directions, Miscellaneous Application is disposed of."

4. They have submitted that in furtherance of the aforesaid order Indian Nursing Council has issued a notification dated 24.12.2025 extending the last date of admission for ANM, GNM, B.Sc(N), PBBSc(N) and MSc(N) program for the academic session 2025-26 till 31.12.2025.

5. On 26.12.2025 U.P. State Medical Faculty has passed an order extending the last date of admission/enrollment to nursing diploma training centers till 31.12.2025. However, the last date for admission to B.Pharm course was 15.11.2025 and although most of the seats in the aforesaid course are lying vacant, the last date for admission to the aforesaid course has not been extended. The petitioner has prayed that the last date for admission to B.Pharm course be extended in view of the aforesaid order dated 19.12.2025, passed by the Hon'ble Supreme Court, the notification dated 24.12.2025 issued by the Indian Nursing Council and the order dated 26.12.2025 issued by U.P. State Medical Faculty.

6. Opposing the writ petition, the learned Additional Chief Standing Counsel for the State of U.P. and the learned counsel for the Dr. A.P.J. Abdul Kalam Technical University have submitted that the Hon'ble Supreme Court had passed a detailed judgment dated 13.12.2012 in the case of Parshavanath Charitable Trust and others Vs. All India Council for Technical Education and others: Civil Appeal No.9048 of 2012, laying down the admission schedule, as per which the last date for taking admissions against

vacancies arising due to any reason, was fixed as 30th August. The schedule specifically stated that no student should be admitted in any circumstance after the last date under any quota. In the concluding para of the judgment, the Hon'ble Supreme Court cautioned that the admission schedule shall be strictly adhered to by all the authorities concerned, including the AICTE, University, State Government and any other authority directly or indirectly connected with the grant of approval and admission and no person or authority shall have the power or jurisdiction to vary the Schedule prescribed in the order.

7. The opposite party no.2-Dr. A.P.J. Abdul Kalam Technical University had filed an application in the aforesaid appeal before the Hon'ble Supreme Court seeking extension of time for taking admissions, upon which the Hon'ble Supreme Court has passed an order dated 31.10.2025 extending the period for completion of admission process by Dr. A.P.J. Abdul Kalam Technical University, till 15.11.2025.

8. When the Hon'ble Supreme Court has fixed the admission schedule by the judgment dated 13.12.2012 and has directed that the schedule shall be adhered to by all the authorities concerned and no person or authority shall have the power or jurisdiction to vary the Schedule prescribed in the order and the Hon'ble Supreme Court has extended the time period for taking admissions till 15.11.2025, this court has no authority to extend the time beyond 15.11.2025.

9. Accordingly, I am of the considered view that there is no good ground to entertain the writ petition, which is ***dismissed*** at the admission stage.

December 31, 2025
DiVYa/Ram.

(Subhash Vidyarthi,J.)

Digitally signed by :-
RAM SINGH
High Court of Judicature at Allahabad,
Lucknow Bench