

Court No. - 3

Case :- WRIT - C No. - 11182 of 2023

Petitioner :- Rajkiya Nurses Sangh U.P. Thru. General Secy. Golaganj Lko. And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Medical Health Govt. Of U.P. Lko. And Another

Counsel for Petitioner :- Sanjay Kumar Srivastava, Akshat Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for the petitioners and learned Standing Counsel for the State.

Present writ petition has been preferred with the following main reliefs:-

" Issue a writ, order or direction in the nature of mandamus commanding the opposite parties to conduct election of U.P Nurses and Mid Wives Council forthwith in view of the provisions of Section 3 and 4 of U.P. Act, No. XV of 1934 i.e. U.P. Nurses, Midwives, Assistant Midwives, Auxiliary Nurses-Midwives Council and Health Visitors Registration Act, 1934 read with the provisions of election Rules, 1934 framed under Sub Section (2) of Section 34 of the Act, 1934 by the State Government.

Issue a writ, order or direction in the nature of mandamus commanding the opposite parties that after conducting the election of U.P. Nurses and Mid Wives Council in accordance with Act, 1934 read with Rules, 1934, U.P. Nurses and Mid Wives council shall appoint regular Registrar of U.P. Nurses and Mid Wives Council with the previous sanction of the State Government in view of the provisions of Section 16 (1) (a) of the Act, 1934 at an early date.

Issue a writ, order or direction in the nature of mandamus commanding the opposite parties to separate the administrative control of U.P. Nurses and Mid Wives Council than the U.P. State Medical faculty and there should not be any interference of U.P. State Medical Faculty with respect to administrative control and functioning over the U.P. Nurses and Mid Wives Council. "

Learned counsel for petitioner submits that grievance of petitioners would be substantially met in case application of petitioners for the said purposes is considered and decided in a time bound manner.

Without entering into merits of the case, the petitioners are permitted to make an application before the respondent no.1/Principal Secretary, Department of Medical Health, Government of U.P. raising all their grievance, annexing therewith a copy of this writ petition along with annexures and all the documents in support of their claim within a period of two weeks from today along with a certified copy of this order.

In case such a application is moved by petitioner, respondent no.1, shall consider and decide the same in accordance with law after hearing all the concerned parties by a reasoned and speaking order within a period of three months from the date a certified copy of this order along with application is placed before him.

With the aforesaid directions, present writ petition is disposed of.

(Manish Kumar,J) (Vivek Chaudhary,J)

Order Date :- 20.12.2023

Ashish