

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11385 of 2014

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Naincy Nursing Training School, managed and run under Palak Samaj Utthan Sansthan, Prabhat Nagar, Bhagalpur through its Director, Manoj Kumar, son of Sri Ashok Rai, resident of Prabhat Nagar, Bhagwanpur, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Director-in-Chief, Health Services, Bihar, Patna.
4. The Director, Health Services, Bihar, Patna.
5. The Joint Director, Health Service, Bihar, Patna.
6. The Nursing Council of India, Sanyukt Parishad Bhawan, Kotla Road, Temple Lane, New Delhi- 110002 through its Secretary.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Murari Prasad Sinha, Advocate
For I.N.C.	:	Mr. Shri Nath Pathak, Advocate
For the State	:	Mr. R. Haque, SC4

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 27-10-2015

Petitioner is seeking quashing of Annexure-6. This is the order passed by the Principal Secretary, Health, Government of Bihar by virtue of which recognition to the petitioner's institution to run A.N.M. course has been rejected.

From reading of Annexure-6, it is evident that the petitioner had earlier approached the High Court for similar kind of relief to give them no objection certificate to run the institution. The matter was disposed of with a direction upon the respondents to consider the same. Annexure-6 is a speaking order which speaks for itself.

The Principal Secretary has clearly laid down as to what was found by the enquiry team on inspection and what was required to be provided by the institution under various heads to meet the eligibility and yardstick laid down by the Nursing Council.

Inadequacies which had been pointed out and some of which are quite glaring, still subsists, despite passing of the order dated 11.07.2013. This Court is not willing to give any direction in favour of petitioner or to quash Annexure-6.

Dismissal of the writ application, however, will not come in the way of augmenting the facilities and meeting the yardstick needed for such recognition and if the petitioner can still fulfill the requirements, he is free to approach the respondent authorities in this regard who will be duty bound to pass a fresh order.

Writ is otherwise dismissed.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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