

CWP No.15937 of 2015

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP No.15937 of 2015
Date of decision:04.08.2015**

Aarti and others ...Petitioners

Versus

The State of Haryana and others ...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Jangjit Singh Dahiya, Advocate,
for the petitioners.

Rakesh Kumar Jain, J.

The petitioners are the students of Rural Nursing Training Institute, VPO Barwasni, Hulleri Mor, Gohana Road, Sonapat (hereinafter referred to as the “respondent-institute”). They have prayed for issuance of a writ in the nature of *mandamus*, directing the Pt. B.D.Sharma University of Health Science, Rohtak (hereinafter referred to as the “University”) to admit them to appear in the examination of B.Sc. (Nursing) 1st year and Post Basic B.Sc. (Nursing) 1st year, scheduled to be held w.e.f. 05.08.2015.

In short, the petitioners have taken admission in the respondent-institute in B.Sc. (Nursing) and Post Basic B.Sc. (Nursing) course in the year 2014. The counselling was held for 30 & 17 seats (out of total 30 & 20 seats) respectively for both the courses. The petitioners have allegedly paid the entire fee to the respondent-institute and attended the classes for full session. It is further alleged that the respondent-institute had

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sent their examination forms with list of students and requisite fee, which was accepted by the University. The name of the respondent-institute appeared in the list of approved institutions of Indian Nursing Council and the University on the internet and it has also been granted affiliation by the Haryana State Nursing Registration Council. The Controller of Examinations of the University has allotted Gandhi College of Nursing, Karnal as the examination centre for the students studying in the respondent-institute and date sheet was issued, as per which the examinations are going to start w.e.f. 05.08.2015, but roll numbers of the petitioners have not been issued, therefore, the petitioners have filed the present petition.

I have heard learned counsel for the petitioners in detail and examined the available record.

As a matter of fact, the respondent-institute of the petitioners, namely, the Rural Nursing Training Institute, had filed CWP No.26472 of 2014, challenging the order dated 28.11.2014, passed by the University, not granting affiliation to the respondent-institute for the session 2014. A prayer was made to direct the University to grant affiliation and to register its students. The said writ petition was dismissed by this Court on 29.07.2015, holding that the respondent-institute has not removed the deficiencies pointed out by the University, as a result thereof, the provisional affiliation has rightly not been extended for the session 2014-2015.

Once it has been held by this Court in the petition filed by the

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respondent-institute that the affiliation has rightly not been granted by the University to it, the petitioners cannot be ordered to be registered for want of affiliation and allowed to appear in the exams.

Consequently, the present petition is hereby dismissed being denuded of any merit.

However, it is left open to the wisdom of the petitioners to seek their legal remedies both criminal and civil against the respondent-institute for keeping them in dark about the issue of non-affiliation by the University.

August 04, 2015
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(Rakesh Kumar Jain)
Judge