

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

CWP No. 25654 of 2014
Date of decision: 28.10.2015

(1) Smt. Santra Devi Siksha Samiti (Regd.)Petitioner(s)

Versus

State of Haryana and others ...Respondent(s)

CWP No. 23079 of 2014
Date of decision: 28.10.2015

(2) Smt. Jawala Parsad Siksha SamitiPetitioner(s)

Versus

State of Haryana and others ...Respondent(s)

CWP No. 1201 of 2015
Date of decision: 28.10.2015

(3) Shri Hanumant Siksha SamitiPetitioner(s)

Versus

State of Haryana and others ...Respondent(s)

AND

CWP No. 6242 of 2015
Date of decision: 28.10.2015

(4) Smt. Santra Devi Siksha Samiti (Regd.)Petitioner(s)

Versus

State of Haryana and others ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Vivek Khatri, Advocate,
and Mr. S.K. Yadav, Advocate,
for the petitioners.

Mr. Saurabh Girdhar, AAG, Haryana.

Ms. Gursharan Kaur, Advocate,
for Mr. Amrit Paul, Advocate,
for respondent no. 3.

Mr. Munish Jolly, Advocate,
for respondent no. 4.

G.S.SANDHAWALIA, J. (Oral)

The present order shall dispose of four writ petitions as common questions of facts and law are involved in all the writ petitions.

The petitioners, in the present bunch of cases, seek the issuance of a No Objection Certificate/Essentiality Certificate for the purposes of setting up of ANM/GNM Training schools. It is not disputed that during the pendency of the writ petitions, order dated 03.09.2015 has been passed by the Additional Chief Secretary to Government of Haryana, Medical Education and Research Department wherein, the said applications have been rejected on account of various deficiencies which were there in the inspection reports. In the case of the first petitioner, one of the relevant observations also read thus:-

“24. As far as the report of the inspection committee is concerned, the committee has pointed out various deficiencies. The inspection team has mentioned that the original land documents were not shown to the inspection team and Society needs to submit the report of the Revenue Department that this piece of land is in a single piece and is for the purpose of the Nursing Institution. The inspection report also states that financial status of the Society cannot be

commented upon as original FDRs were not shown to the inspection team. The report also states that Society does not fulfill the norms of 120 bedded parent Hospital as well as requirement of manpower and equipment as per INC norms.

25. In light of above findings/observations based on the record, I have reached to the conclusion that on the basis of present documents EC/NOC cannot be granted to the applicant petitioner either under 2011 policy or 2014 policy.”

Similar deficiencies have also been noted in the connected cases by the said officer which pertain to the lack of constructed area and the requirement of man power and equipment as per the requirements and even the documents which have been submitted were not genuine and were forged and fabricated.

Faced with this situation, counsel for the petitioners do not press these present writ petitions and pray for liberty to file fresh applications before the competent authority for reconsideration.

Accordingly, the present writ petitions are dismissed as not pressed. It will be open to the petitioners to file fresh applications for reconsideration under the prevalent policies and the respondents shall process the same in accordance with law.

28.10.2015
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(G.S. SANDHAWALIA)
JUDGE