

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

LPA No. 179 of 2015 (O&M)
Date of decision : 08.04.2015

Indian Nursing Council

.....Appellant

Versus

Vardan Medic Mission (Regd.) and others

....Respondents

**CORAM:- HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr. Munish Jolly, Advocate for the appellant.

Mr. Sameer Sachdeva, Advocate for respondent No. 1.

Ms. Deepa Singh, Addl. AG, Punjab.

HEMANT GUPTA, J.

The present Letters Patent Appeal under Clause X of the Letters Patent is directed against an order passed by learned Single Bench of this Court on 08.12.2014 whereby the writ petition was allowed with costs finding the reply and the copy of the letter furnished by the appellant to be meaningless attempt to explain their own inaction in a most irresponsible way in dealing with the matter. Learned Single Judge found the decision not to accord sanction for approval to run B.Sc. Nursing course to be wholly unjustified and without due consideration of appropriate facts.

Learned counsel for the appellant had argued that the approval was not granted for the reason that the writ petitioner was not able to arrange practical training for its students from the hospitals having sufficient number of beds. It is contended that the same hospitals are associated with other nursing institutes and, therefore, will does not have enough beds for training of the students of the writ petitioner institute.

In view of the argument raised, the appellant was directed to specify the number of students in each of the other nursing colleges affiliated with the respective hospitals and also the period for which the students have to undergo practical training. In pursuant of such direction, the appellant has filed an affidavit. The affidavit filed does not disclose the period of practical training, which students have to undergo, but Mr. Sachdeva points out that the students have to undergo 16 weeks of practical training in each of the 3 years of the degree course.

Perusal of the affidavit shows that the appellant has given details of four hospitals i.e. Civil Hospital, Kharar with 50 beds, Indus Hospital, Mohali with 174 beds, Civil Hospital, Mohali with 80 beds and Amar Hospital, Mohali with 110 beds. Thus the total bed strength comes to be 414. As against such beds strength in four colleges, there are 60 students of B.sc. Nursing of Mata Sahib Kaur College of Nursing, 10 students in SPHE College of Nursing, 40 students in Rayat Bahra College of Nursing and 60 students of Silver Oaks School of Nursing. Thus, as against 414 beds available, the students undergoing B.Sc. Nursing in four institutes are 170. As against this, the writ petitioner is seeking approval of 60 students.

16 weeks training means about four months. Thus, keeping in view the number of students and beds available, we find that sufficient beds are available for practical training to the students of Nursing. The appellant has tried to give information in such a way so that true facts are hidden. The same number of students has been mentioned at four different places against each College but the total

bed strength available and the total number of students have been conveniently avoided to be disclosed.

In view of the beds available and the number of students, we find that the order of the learned Single Judge cannot be said to be suffering from any illegality or irregularity, which may warrant interference in intra court appeal. Since the information given is deceptive, therefore, we dismiss the appeal with costs of ₹ 10,000/-.

(Hemant Gupta)
Judge

(Lisa Gill)
Judge

April 08, 2015
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