

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10597 of 2016

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A I H E A N M School Jamsaut, R.K. Puram Road, (Mathiyapur More) Danapur Patna through its Director Harishchandra Giri, Aged about 69 Years Son of Late Nathuni Giri Resident of Vivekanand Marg, PS Sri Krishna puri, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Department of Health , Govt. of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Department of Health , Govt. of Bihar, New Secretariat, Patna.
3. The Director-in-Chief, Health Services, Department of Health , Govt. of Bihar, New Secretariat, Patna.
4. Bihar, Nurses Registration Council through its Registrar, P.H.E.D. Bhawan, Ist Floor, Bailey Road, Patna-15
5. The Registrar, Bihar Nurses Registration Council, P.H.E.D. Bhawan, Ist Floor, Bailey Road, Patna- 15
6. The Director-in-Chief-cum-Chairman, Bihar Nurses Registration Council, P.H.E.D. Bhawan, Ist Floor, Bailey Road, Patna- 15

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. P. K. Shahi, Sr. Advocate Mr. Arun Kumar
For the State:		Mr. Subhash Chandra Mishra S.C.-16
For the BNRC:		Mr. Ranjan Kumar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 28-07-2016

This is a litigation, which has been unnecessarily generated by the respondent by taking a kind of irrational view in matter of acceptance of examination fee and form of the students for the sessions 2013-15 and 2014-16 for the post of ANM in the

institution, in question. Since there is a time-frame by which form and fee was required to be accepted before conduct of examination for such students, the delay has proved detrimental to the interest of the students as well as the reputation of the institution as such.

The only reason why such impediment seems to have been created is that after grant of recognition, they want certain clarifications whether the land on which the institution is situated belongs to the institution or whether the hostel property has a proper registered sale deed in favour of the institution.

This issue should have been looked into before the recognition was granted in terms of the previous judicial order and direction.

Be that as it may, the respondent-authorities are directed to ensure that the examination of the students for the two batches of the institution, which cannot be held with the rest of the institutions, will be required to be held separately within a reasonable time-frame after accepting the form and fee of the students.

Such form and fee must be accepted by the respondents within a period of two weeks and thereafter they will process and hold a special examination preferably within a period of three months thereof.

Writ application stands disposed off in terms of the above.

This order has been passed in the background that it is the respondent-authorities who are to be blamed for delaying

decision making, which has created a piquant situation for the students of the institution, in question.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	28.07.2016
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