

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

LPA-1758-2016 (O&M)

Date of Decision: September 14, 2016

Baba Nand Singh Ji Memorial Trust (Regd.)

.....Appellant

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.N.K.Setia, Advocate  
for the appellant.

.....

**SURYA KANT, J.**

**CM-3594-LPA-2016**

For the reasons mentioned in the application, delay of 18 days in  
filing the appeal is condoned.

CM disposed of.

**LPA-1758-2016**

The appellant-Trust assails the order dated 21.07.2016 whereby  
learned Single Judge has dismissed its writ petition in which it sought a  
direction to allow 22 students allegedly admitted in GNM Course, to appear  
in the examination which was to be held in October, 2015.

Shorn of the details, suffice it to mention that the appellant-Trust  
runs a Nursing College. The Indian Nursing Council gave permission for  
admission in the academic session 2010-11 but the State Government  
cancelled the 'No Objection Certificate' on 13.07.2010 which action of the  
State Government was successfully challenged by the appellant-Trust before

this Court and in which interim order (Annexure P6) was also passed noticing the fact that 18 students were admitted by the appellant-Trust in excess to the sanctioned strength of 40. Learned Single Judge dismissed the appellant's writ petition qua regularization of admission of those 18 students but in LPA No.1287 of 2015 (**Jeewan Jot Nursing Institute vs State of Punjab and others**), a Coordinate Bench vide order dated 16.09.2015 set aside the order of learned Single Judge and directed to regularize the admission of those 18 students.

Till the above-stated decision dated 16.09.2015, there was not even a whisper that 22 more students have been statedly re-admitted as they had earlier left the College when 'No Objection Certificate' was cancelled. Since learned Single Judge has not accepted the record relied upon by the appellant regarding "re-admission" of these 22 students and there was never ever any reference of such re-admission in the previous proceedings, we are satisfied that the claim of appellant for regularization of admission of such students or to allow them to appear in the examination is not genuine and cannot be accepted.

Dismissed.

**( SURYA KANT )**  
**JUDGE**

**September 14, 2016**  
meenuss

**( SUDIP AHLUWALIA )**  
**JUDGE**

Whether speaking/reasoned  
Whether Reportable

: Yes/No  
: Yes/No