

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.88 of 2018

In

Civil Writ Jurisdiction Case No.17528 of 2017

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Yamuna Institute Of Nursing (G. N. M. School), Begusarai through the President of Orhul Yamuna Foundation (N.G.O.) namey Dr. Ramashray Singh, Son of Late Yamuna Singh, Resident of Mohalla-Pokhariya, P.O. +P.S. & District-Begusarai.

... .. Appellant/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 (Nursing), Department of Health, Govt. of Bihar, New Secretariat, Patna.
4. THE Officer on Special Duty (OSD), Department of Health, Govt. of Bihar, New Secretariat, Patna.
5. Indian Nursing Council, Joint Council Bhawan, Kotla Road, Temple Lane, New Delhi-110002 through its Secretary.
6. The Secretary, Indian Nursing Council Joint Council Bhawan, Kotla Road, Temple Lane, New Delhi-110002.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun Kumar, Advocate
Mr. Raghuvir Chandrayan, Advocate
For the Respondent/s : Mr. S.D.Yadav – A.A.G. 9

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 19-12-2018

Heard Shri Raghuveer Chandrayan, learned counsel for the appellant and Shri S.D. Yadav, learned counsel for the respondent State.



The issue no longer requires any further consideration keeping in view the developments that have been brought on record through the supplementary affidavit filed on behalf of the appellant today.

In the matter raising identical issues and arising out of a common judgement, Letters Patent Appeal No. 87 of 2018 was preferred by M/s. Apollo Nursing Training School Vs. State of Bihar, where on 06.10.2018 a Division Bench of this Court proceeded to uphold the same judgement of the learned Single Judge that was delivered also in the present case as well. Against the judgement of the Division Bench dated 06.10.2018, M/s. Apollo Nursing Training School (Supra) went up in appeal to the Apex Court in a special leave to Appeal No. 29037 of 2018 in which notices were issued on 2nd November, 2018 and after three adjournments, the special leave to appeal was disposed off by the order dated 29.11.2018.

In the wake of the fact that the same impugned judgement has now been considered and has attained finality, this appeal also stands disposed off with the observation that the State of Bihar shall consider the application of the appellant for recognition after carrying out an inspection as in the case of M/s.



Apollo Nursing Training School (Supra), within a period of one month from today.

The appeal stands disposed off accordingly.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

K.C.Jha/Uma/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.12.2018
Transmission Date	N/A

