

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3840 of 2018

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Sri Raj Nursing Training Institute, New Bangali Tola, Bus Stand Road, Near Jakkanpur Police Station, Patna through its Managing Director, Dr. Naresh Prasad Priyadarshi, aged about 44 years, Son of Shri Prasad Chaurasiya, Resident of Bus Stand Road, P.S.- Jakkanpur, 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 Officer on Special Duty, Department of Health, Govt. of Bihar, New Secretariat, Patna.
4. The Director In-Charge (Nursing), Health Services, Department of Health, Govt. of Bihar, New Secretariat, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Respondent/s : Mr. Aditya Nath Jha, SC-18

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 12-10-2018 The petitioner is aggrieved by an order dated 04.03.2017, passed by the Director-in-Chief (Nursing), Health Services, Department of Health, Government of Bihar, whereby the application of the petitioner for conducting the A.N.M. Course has been rejected after noticing certain deficiencies, which are mentioned in the order.

Learned counsel appearing on behalf of the petitioner contends that after passing of the order, the deficiencies have been removed.

A counter affidavit has been filed on behalf of the



State of Bihar taking a plea that in the light of this Court's decision dated 20.12.2017 in C.W.J.C. No. 17528 of 2017 (Yamuna Institute Of Nursing (G.N.M. School) vs. the State of Bihar & Ors.) and another analogous case, the institution is required to seek prior permission for establishment and only thereafter, the permission to grant A.N.M. Course can be considered.

Learned counsel appearing on behalf of the petitioner, in view of the stand taken on behalf of the State of Bihar, states that this application may be disposed of with a direction to the State of Bihar to take a decision on the question of grant of permission within a reasonable time, if the petitioner applies for such permission.

Considering the above submission, this application is disposed of with the observation that if any application is made for grant of permission to establish the institution before the competent authority, the competent authority may take appropriate decision expeditiously preferably within three months from the date of making of application.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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