

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 339 of 2018

1. Gayatri Educational Institute Of Technology Raipur (Running Gayatri Institute Of Nursing Jagdalpur) Registered Under The Provisions Of Chhattisgarh Societies Registration Act, Through Its Director Mr. H.S. Yadav, Son Of Shri V.S. Yadav, Aged About 52 Years, Registered Office Of Society At EWS 2, 48/12, Sector 27, New Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of Health And Family Welfare And Medical Education, Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
2. Directorate Of Medical Education, State Of Chhattisgarh, Through Its Director, Old Nurses Hostel, D.K.S. Bhawan, Campus, Raipur, Chhattisgarh.
3. State Programme Officer (Nurses Training) Directorate Of Medical Education, Training Branch, Sector 27, New Raipur, Chhattisgarh.
4. Chhattisgarh Nurses Registration Council Through Its Registrar, Old Nurses Hostel, Beside D.K.S. Bhawan Campus, Raipur, Chhattisgarh.

---- Respondent

For Petitioner	Shri Rohitas Singh & Shri Vipin Tiwari, Advocate
For Respondent/State	Shri Rahul Jha, Govt. Advocate
For Intervener	Shri J.K. Gupta, Advocate

Order On Board

By

Prashant Kumar Mishra, J.

20/03/2019

1. Petitioner is operating a General Nursing & Midwifery College at Jagdalpur. Three other colleges namely; Bodhni

Devi Educational Society, Adwal, Jagdalpur; Surya Nursing College, Geedam Road, Jagdalpur; & Adeshwar Nursing Institute, Jagdalpur are operating from Jagdalpur. These three colleges have been allowed permission for training of the students in the Medical College, Jagdalpur, however, petitioner's application for such facility has not been decided by the Directorate of Medical Education.

2. Learned counsel for the petitioner would also draw attention of the Court to document Annexure – R/1-6 dated 23-7-2016 to highlight that permission to one of the above named three colleges was found feasible, however, even before this date permission was already accorded to the above three colleges in April, 2016. The purpose of bringing notice of these facts is to demonstrate that the Directorate of Medical Education is acting arbitrarily in the matter of granting permission to impart training to the students of Nursing & Midwifery colleges.
3. Considering the entire facts institution of the case and for the reason that the other Nursing & Midwifery Colleges have been granted permission for training of the students, ends of justice would be served if the writ petition is disposed of with direction on petitioner's moving fresh application for permission to impart training to the students admitted in the

petitioner college for training in the Medical College, Jagdalpur within a period of one month from today, the Director, Medical Education shall consider and decide the same, in accordance with law and on its own merits, as early as possible preferably within a period of two months from the date of submission of representation.

4. It is made clear that while considering the petitioner's application the Director, Medical Education, Chhattisgarh, Raipur, shall keep in mind that three Nursing & Midwifery Colleges have already been granted permission.
5. With the aforesaid observations, the writ petition stands disposed of.

Sd/-

Judge
Prashant Kumar Mishra

Gowri