

AD. 18.
March 12, 2021.
MNS.

W. P. A. 4985 of 2021
(**Via video conference**)

Moumita Bhowmik
Vs.
State of West Bengal and others

Mr. Indranil Nandi,
Mr. Manoranjan Maiti,
Mr. Sayak Konar

... for the petitioner.

Mr. Jahal Lal De,
Mr. Shamim ul Bari

...for the State-respondent.

Mr. Mukesh Kumar Gupta

...for the respondent no. 4.

Mr. Nilotpal Chatterjee

...for the respondent no. 5.

Affidavit-of-service filed in Court today be
taken on record.

The grievance of the petitioner is that the
petitioner's application for reciprocal registration
in West Bengal on the basis of diploma in
General Nursing and Midwifery was refused to be
accepted by the respondent nos. 2 and 3 with the
cryptic remark at the top of the application, as
apparent from page 29 of the writ petition, "KNC".

Learned counsel appearing for the petitioner submits that the petitioner was informed that since the petitioner had been registered with the Karnataka Nursing Council, the said application could not be accepted.

Upon hearing learned counsel for the respondent nos. 1, 4 and 5 as well as learned counsel for the petitioner, it is evident from the guidelines regarding reciprocal registration, annexed at page 28 of the writ petition, that the registration of the petitioner with the Karnataka Nursing Council could not have been a ground for refusal even to accept the petitioner's application for reciprocal. The expression "reciprocal" itself implicitly indicates that there has to be an inter-State reciprocation pertaining to the registration. Hence, the refusal of respondent nos. 2 and 3 to accept the petitioner's application was palpably illegal.

Despite service, none appears on behalf of the respondent nos. 2 and 3.

As such, there is no option before the court but to decide the matter in the absence of the said respondents.

W. P. A. 4985 of 2021 is disposed of by directing respondent nos. 2 and 3 to accept a

fresh application for reciprocal registration, which the petitioner is given the liberty to file, and to decide on the same in accordance with law within a fortnight from filing of such application, without being prejudiced in any manner by the previous refusal to accept such application.

The respondent nos. 2 and 3 shall communicate such decision to the petitioner immediately thereafter.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)