

**Calcutta High Court  
In the Circuit Bench at Jalpaiguri  
(Through Video Conference)**

30.12.2021  
CB Sl. No.5  
BP/KS

**W.P.A. 2603 of 2021**

**Nivedita Foundation  
Vs.  
The State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee  
Mr. Akashdeep Mukherjee  
Ms. Sayani Manna  
Mr. Pintu Karar  
..... For the Petitioner

Mr. Anirban Ray  
Mr. Raja Saha  
Mr. Bipin Ghosh  
.....For the State  
Mr. Nilotpal Chatterjee  
.....For the Respondent/I.N.C.

The petitioner is directed to serve a copy of the writ application upon Mr. Nilotpal Chatterjee, learned lawyer for the respondent no.6/I.N.C. Accordingly, a copy of the writ application is served upon Mr. Chatterjee.

Heard Mr. Ray, learned lawyer for the State.

The petitioner files affidavit of service and the same be kept on record which reflects that the copy of the application has been served upon all the rest respondents. Dealing with the similar issues involved in the instant writ application, a Coordinate Bench in W.P.A. No.21211 of 2021 by passing an order directed categorically that the

respondent authorities be restrained from taking any steps in terms of the impugned order dated 30<sup>th</sup> November, 2021 made by the respondent no.3/Director of Health Services, Government of West Bengal.

By the order passed in W.P.A. No.21211 of 2021 the Indian Nursing Council was granted liberty to proceed with the inspection as mandated under Indian Nursing Council Act, 1947.

As I understood from the submissions advanced by learned lawyer appearing for the parties, the order dated 24<sup>th</sup> December, 2021 passed in W.P.A. No.21211 of 2021 has not been challenged to any higher forum. Therefore, the petitioner is covered by the order dated 24<sup>th</sup> December, 2021 passed in the aforesaid writ application.

In view of the above, the admission process which is to be completed by 31<sup>st</sup> December, 2021 or by the extended period should continue for the session 2021 – 2022 subject to the terms as laid down in the order dated 24<sup>th</sup> December, 2021 in W.P.A. No.21211 of 2021.

With the aforesaid observations, the writ application is disposed of.

Parties are to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

However, it is made clear that the Indian Nursing Council as well as the State respondents are at liberty to take appropriate steps after inspection in accordance with law.

**(Rabindranath Samanta, J.)**