

13.01.2022
sayandeep
Sl. No. 03
Ct. No. 05

WPA 320 of 2022

[Via Video Conference]

Nirmala Foundation
-Versus-
The State of West Bengal & Ors.

Mr. Probal Kr. Mukherjee
Ms. Shebatee Datta
Ms. Shaoni Dey
..... for the petitioner

Mr. Swapan Kr. Datta
..... for the State

Mr. D. N. Maiti
... for the WBUHS

Affidavit-of-service filed in Court today is kept on record.

The petitioner prays for similar orders to those passed by this Court including in WPA 20096 of 2021 and by a coordinate Bench in WPA 41 of 2022 being orders dated 16th December, 2021 and 4th January, 2022 respectively. By the said orders, the Court was of the view that affiliation to the Indian Nursing Council is not the requirement which is provided under the relevant statute. The impugned order requiring affiliation of the petitioner to the Indian Nursing Council was set aside by the order dated 4th January, 2022.

Learned counsel submits that the last date of admission for all nursing programs for the year 2021-2022 was extended till 31st March, 2022 by a notification dated 23rd December, 2021 by the Indian Nursing Council and prays that the petitioner is allowed to participate in the counseling in the Mop-up round and allowed to start admission process for the students in the nursing course with immediate effect.

The Indian Nursing Council and the State are represented.

Since several orders have been passed by this Court including a coordinate Bench, WPA 320 of 2022 is allowed and disposed of in terms of prayers 'c' and 'd' with a direction to the respondent authorities not to take any steps in terms of the impugned order dated 30th November, 2021 and to allow the petitioner to start the admission process in the nursing course for the 2021-2022 session.

The INC shall be at liberty to proceed with the inspection as mandated under the Act in the meantime if required.

The contention of the learned counsel appearing for the State is noted that the State has not received any representation from the petitioner till date.

All parties are to act on the server copy of this order duly downloaded from the official website of this Court.

(Moushumi Bhattacharya, J.)