

Ct. 05
Item No.16
18.11.2022
(suvendu)

WPA 17527 of 2022

Krishna Maity
Vs.
The State of West Bengal & Ors.

Mr. K.J.Tewari
Mr. Manas Kumar Das
.....for the petitioner
Mr. Nilotpal Chatterjee
.....for the Indian Nursing Council
Ms. Jayeeta Sinha
Mr. Sandip Mandal
.....for the State

The grievance of the petitioner is that the petitioner has not been allowed to apply for reciprocal registration by the State Nursing Council despite the petitioner having fulfilled the criteria mentioned in a communication dated 19th July, 2022 by the Indian Nursing Council. The said communication states that a candidate must have pass marks in English which condition has been fulfilled by the petitioner.

Learned counsel appearing for the Indian Nursing Council relies on the Indian Nursing Council (Nurses Registration and Tracking System) Regulations, 2019 under which a candidate seeking transfer of registration from one State to

another State would have to login and apply online in the concerned portal.

According to learned counsel appearing for the petitioner, the difficulty in the present case is that the petitioner has not made any progress in terms of Regulation 6 since the petitioner does not have the required marks in English.

Any obstruction caused by the State Nursing Council to the process is not only contrary to the letter of the Indian Nursing Council dated 19th July, 2022 but also to an order passed by a Division Bench of this Court presided over by the Hon'ble the Chief Justice dated 6th April, 2022 in MAT 483 of 2021 where the Division Bench directed the competent authority to examine and decide the application of the petitioner for grant of reciprocal registration in accordance with law.

The competent authority before the Division Bench was the West Bengal Nursing Council.

WPA 17527 of 2022 is accordingly disposed of with a direction on the respondent no. 3 being the West Bengal Nursing Council to consider and dispose of the application for reciprocal registration made by the petitioner within four weeks from the date on which such application is made by the petitioner.

It is expected that the petitioner will make the application without delay.

Needless to say, a copy of the reasoned order shall be made available to the petitioner within one week from the date on which the application is disposed of by the West Bengal State Nursing Council.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)