

13 21.9.2022
Sc Ct. no.22

WPA 18496 OF 2022

Dr. Kadambini Ganguli Institution of
Nursing & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee
Mr. Pintu Karar
Mr. Akashdeep Mukherjee
Ms. Sajani Manna.

....For the Petitioner

Mr. Swapan Kr. Datta
Mr. Tapas Kr. Mandal.

....For the State

Mr. Nilotpall Chatterjee

....For the Respondent/
Indian Nursing Council

Mr. D. N. Maiti

....For the Respondent
No.5

The facts involved in this writ petition are not disputed by the parties appearing before this Court. The petitioner is a nursing institution for General Nursing and Midwifery (GNM) and B.Sc Nursing courses.

The petitioner has obtained the 'Essentiality Certificate' from the Director of Health Services, West Bengal, **Annexure-P1** to the writ petition, dated **March 11, 2022** and the 'Permission for Opening New College of Nursing' from the West Bengal Nursing Council dated April 04, 2022, **Annexure-P2** to the writ petition. The petitioner had also obtained a provisional approval for B.Sc. Nursing from the West Bengal University of Health Sciences, **Annexure - P3** to the writ petition.

By order dated 23.08.2022 a coordinate Bench of this Hon'ble Court had directed that the name of the petitioner's institution be included in the seat matrix, however such order was restricted to GNM course only.

In respect of B.Sc Nursing course the parties appearing before this Court have confirmed that the issues involved in this writ petition is already covered by a Judgment and Order dated August 26, 2022 passed by a coordinate Bench in ***WPA 19046 of 2022*** along with a cluster of other writ petitions. The parties have further confirmed that the said Judgment and Order dated August 26, 2022 bind them subject to the facts of this case.

The petitioner institution have applied ***for inspection*** for obtaining the "Suitability Certificate" as per the provisions of the Indian Nursing Council Act, Rules and Regulations. The petitioner undertakes to carry out the necessary formality.

In view of the above, this writ petition ***WPA 18496 of 2022*** stands disposed of in the light of the said Judgment and Order dated August 26, 2022 mentioned above including the directions made therein and the Indian Nursing Council shall be at liberty to take all further steps in the matter in accordance with law.

This order shall not preclude the Indian Nursing Council to take steps in accordance with law.

Photostat certified copy of this order, if applied for,
be furnished expeditiously.

(Aniruddha Roy, J.)