

20 07.9.2022
Sc Ct. no.22

WPA 20444 OF 2022

Na Hanyate Foundation
Vs.
The State of West Bengal & Ors.

Mr. Lutful Hoque	 For the Petitioner
Mr. Swapan Banerjee	
Mr. Somenath Ghosh.	... For the Respondents/ State
Mr. Debaki Nandan Maiti.	...For the Respondent/ West Bengal University of Health Sciences
Mr. Nilotpal Chatterjee	...For the Respondent/ Indian Nursing Council

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 Begnal, **Annexure–P1** to the writ petition, dated February 17, 2022 and the **‘Permission for Opening New College of Nursing’** from the West Bengal Nursing Council dated May 31, 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.

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 is yet to apply 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 and make application for the same.

In view of the above, this writ petition **WPA 20444 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.)