

20.10.2022
Item No.84
Ct. No.42
S.A.

WPA 23340 of 2022

Ear Ali Memorial Foundation

-vs-

The State of West Bengal & Ors.

Mr. Lutful Haque

...for the petitioner

Mr. Swapan Kumar Datta

Mr. Tapas Kumar Mandal

...for the State

Mr. D. N. Maiti

Ms. Sharbani Ghosal

...for the respondent No.5

Affidavit of service filed in court, is taken on record.

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, however, since the petitioner does not have the affiliation from the University of Health Sciences, the petitioner is restricting its prayers to the GNM Course only and not pressing their prayers for B.Sc. Nursing Course.

The petitioner has obtained the 'Essentiality Certificate' from the Director of Health Services, West Bengal, Annexure P-1 to the writ petition, dated December, 2021 and the 'Provisional Permission for

Nursing training institution' from the West Bengal Nursing Council dated April 4, 2022, Annexure P-2 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 judgement and order dated August 26, 2022 passed by a coordinate Bench in WPA 19040 of 2022. The parties have further confirmed that the said judgement and order dated August 26, 2022 binds them subject to facts of this case.

The petitioner institution shall apply 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 accordance with law.

In view of the above, this writ petition WPA 23340 of 2022 stands disposed of in the light of the said judgement 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.

(Lapita Banerji, J.)