

14 11.11.2022  
Sc Ct. no.22

**WPA 23612 OF 2022**

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Adan Institute of Nursing Science  
under Siliguri Hosana Welfare Society,  
Siliguri, Darjeeling

Vs.

The State of West Bengal & Ors.

Mr. D. K. Sengupta  
Ms. Jaya Datta  
Mr. Swati Saha.

....For the Petitioner

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

....For the State

Mr. Nilotpal Chatterjee

....For the Indian  
Nursing Council

Mr. D. N. Maiti  
Mr. S. Ghosal.

....For the WBUHS

The petitioner before this Court **Adan Institute of Nursing Science under Siliguri Hosana Welfare Society** is a registered society (registered under the **Society Registration Act, 1961**) represented by its secretary, which carries on nursing institution imparting nursing courses.

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 (institution) does not have the affiliation from the **University of Health Sciences**,

the ***petitioner is restricting its prayers to the GNM Course only.***

The petitioner has obtained the '**Essentiality Certificate**' from the Director of Health Services, West Bengal, ***Annexure-P1*** to the writ petition, dated ***September 1, 2022*** and the '**Provisional Permission for Nursing training institution**' from the ***West Bengal Nursing Council*** dated October 14, 2022, ***Annexure-P2*** 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 19040 of 2022***. The parties have further confirmed that the said ***Judgment and Order dated August 26, 2022*** bind them subject to facts of this case.

The petitioner institution undertakes to 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 23612 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.)**