

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 5320 of 2022

***Harihar Charitable Trust,
Nimapara***

.....

Petitioner

Mr. S.R. Patnaik, Adv.

Vs.

State of Orissa and Ors.

.....

Opposite Parties

Mr. P.P. Mohanty, AGA

*Mr. R.C. Mohanty, Advocate
(O.P.3)*

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

09.05.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. Paresh Kumar Mohanty, learned counsel appearing on behalf of Mr. S.R. Patnaik, learned counsel for the petitioner; Mr. P.P. Mohanty, learned Additional Government Advocate appearing for opposite parties no.1 & 2, and Mr. R. C. Mohanty, learned counsel appearing for opposite party no.3.

3. The petitioner has filed this writ petition seeking for direction to opposite party no.2 to issue NOC in favour of the petitioner-institution for opening of the GNM Nursing Training Programme.

4. Mr. P.K. Mohanty, learned counsel for the petitioner contended that though the petitioner-institution, in this writ petition, has sought for direction to opposite party no.2 for grant of NOC for opening of General Nursing and Midwifery (GNM) programmes for the year, 2017-18, but now if direction to dispose

of the representation is issued interest of justice will be served.

5. Mr. P.P. Mohanty, learned Additional Government Advocate and Mr. R. C. Mohanty, learned counsel appearing for opposite party no.3 raised objection with regard to maintainability of the writ petition as the petitioner had applied for NOC for the academic period i.e. 2017-18, which has already been over. Therefore, direction for disposal of the representation will not suffice the purpose of the petitioner.

6. Having heard learned counsel for the parties and after going through the records, it appears that the petitioner has prayed for direction to opposite party no.2 for grant of NOC for the academic session 2017-18, which has already elapsed since long, and at this stage the consideration of representation for grant of NOC will not enure any benefit to the petitioner. However, liberty is granted to the petitioner-institution to make an application for grant of NOC for next academic session, if it is so advised.

7. With the above observation, the writ petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE