

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14937 of 2022

Maa Brahmani Debi B.Sc. College of Nursing, Bhandaripokhari* *Petitioner

Mr. Kailash Chandra Kar, Advocate

-versus-

State of Odisha and others* *Opp. Parties

Mr. P.P. Mohanty,
Additional Government Advocate

**CORAM:
JUSTICE K.R. MOHAPATRA
JUSTICE M.S. RAMAN**

**ORDER
17.06.2022**

Order No.

1. This matter is taken up through Hybrid mode.
2. Petitioner in this writ petition has prayed for a direction to Opposite Party No.1-Additional Chief Secretary to Government, Health and Family Welfare Department, Odisha, Bhubaneswar to consider its representation dated 4th June, 2022 (Annexure-5) for grant of NOC subject to the condition that fire certificate will be produced much prior to admission of the students.
3. Mr. Kar, learned counsel for the Petitioner submits that pursuant to an advertisement issued in the year 2021, the Petitioner made an application on 28th July, 2021 for opening of a B.Sc. College of Nursing for the academic session 2022-23.

On scrutiny of the application of the Petitioner, it was called upon to submit certain documents including the fire safety certificate. Although the Petitioner has made the application for grant of fire safety certificate, but the same is under consideration by the authorities. It is submitted by Mr. Kar, learned counsel that the Petitioner has already complied with other deficiencies in the application for opening of the B.Sc. College of Nursing. In that regard, the Petitioner has made a representation on 4th June, 2022 (Annexure-5) to the Opposite Party No.1, which is yet to be considered. In view of the above, Mr. Kar, learned counsel for the Petitioner, prays for a direction to Opposite Party No.1 for consideration of its application under Annexure-5 at an early date.

4. Mr. Mohanty, learned AGA submits that fire safety certificate is an essential criteria to be considered for grant of NOC for opening of B.Sc. College of Nursing. However, since the representation of the Petitioner is still pending with the authority the same may be directed to be considered in accordance with law.

5. Taking into consideration the submissions of learned counsel for the parties, this Court, without expressing any opinion on the merits of the case of the Petitioner, disposes of the writ petition with a direction that on production of certified copy of this order, the Opposite Party No.1- Additional Chief Secretary to Government, Health and Family Welfare Department, Odisha, Bhubaneswar shall consider the representation of the Petitioner dated 4th June, 2022 (Annexure-5) in accordance with law, if the same is still pending and

communicate the result thereof to the Petitioner as expeditiously as possible, preferably within a period of two months therefrom.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Vacation Judge

(M.S.Raman)
Vacation Judge

