

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-5243-2022

Maina Education Society

....Petitioner

VS

State of Haryana and others

....Respondents

CWP-5319-2022

Rural Institute of Health and Para Medical Sciences

....Petitioner

VS

State of Haryana and others

....Respondents

Date of Decision: 24.03.2022

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Alok Mittal, Advocate
for the petitioner

SUDHIR MITTAL, J.

This order shall dispose of CWP Nos. 5243 and 5319 of 2022 as the question of law involved in both is identical.

In both cases the petitioners were issued NOC for admitting certain number of students which was reduced by the Indian Nursing Council unilaterally. There is no complaint regarding lack of infrastructure or any such issue. The Supreme Court has held that the Indian Nursing Council has no jurisdiction to increase or reduce the number of seats in a Nursing Institute and the jurisdiction vests only with the State Nursing Council. Based upon this judgment a representation has been submitted for permitting the petitioners to admit students for their course in accordance with the No Objection Certificate granted by the State and the respective representations have not been decided till date.

Notice of motion.

Mr. Hitesh Pandit, Addl. A.G. Haryana accepts notice on behalf of respondents No. 1 and 3 and waives service. At the asking of the Court, learned Addl. A.G. Haryana accepts notice on behalf of respondent No. 2 as well.

Considering the nature of the order being passed, there is no necessity to file reply.

The writ petitions are disposed of with a direction to respondent No. 2 to decide the pending representations in accordance with law by passing a speaking order within twelve weeks from the date of receipt of certified copy of this order. Learned Addl. A.G. Haryana is directed to convey the order to respondent No. 2.

A photocopy of this order be placed on the file of other connected case.

March 24, 2022
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SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No