

CWP-29682-2022

Date of Decision: 22.12.2022

Rural Institute of Health & Para Medical Sciences

....Petitioner

VS

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Jangjit Singh Dahiya, Advocate
for the petitioner

SUDHIR MITTAL, J. (Oral)

The petitioner had applied for grant of NOC by the State Government for starting some Para Medical Courses vide communication dated 23.11.2018. Vide letter dated 23.01.2019, a direction was issued to the Pt. B.D. Sharma University of Health Sciences, Rohtak to finalize a policy for grant of NOC. The same was not done and, thus, noting dated 15.01.2021 was recorded that the petitioner may send its request for affiliation directly to the Registrar of the aforementioned University. This was communicated to the petitioner vide communication dated 04.02.2021. Vide letter dated 31.03.2021, the petitioner applied for affiliation. Before any action could be taken thereupon, communication dated 21.05.2021 was issued from the office of Director of Medical Education and Research, Haryana that the case of the petitioner for issuance of NOC be considered after finalization of draft para medical policy by the Government. Policy was notified on 05.08.2021 and the case of the petitioner has been rejected vide order dated 20.07.2022 (Annexure P-16) on the ground that case of the petitioner can not be considered as an application under the policy

The basic argument raised by learned counsel for the petitioner is that Maharaja Agrasen Medical College Agroha had applied for affiliation vide communication dated 20.06.2018 and the same was granted vide communication dated 04.07.2018. The petitioner's application is dated 23.11.2018 and should have been treated similarly. The same having not been done, the petitioner has been discriminated against. Thus, the impugned order dated 20.07.2022 is illegal.

The submission is misconceived because the grievance of discrimination could have been raised by the petitioner in the year 2018 itself or soon thereafter. Meanwhile, a new policy has been framed and notified and the petitioner has admittedly not applied under the said policy. Thus, the impugned order does not suffer from any illegality or infirmity.

The writ petition has no merit and is dismissed.

22.12.2022
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(SUDHIR MITTAL)
JUDGE

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