

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16934 of 2022

Shyamlal Chandrashekhar Paramedical Institute, N.H. 31, Parmanandpur, Khagaria (Bihar) through its Director, Swami Viveka Nand (Male), aged about 60 years, Son of Chandra Shekhar Prasad Yadav, Resident of 319, Ranko Tola, Awaas Board, Ward No. 01, Koshi College, P.S.- Mufassil, District- Khagaria.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Department of Health, Government of Bihar, New Secretariat, Patna.
3. The Deputy Secretary, Department of Health, Government of Bihar, New Secretariat, Patna.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Respondent/s : Mr. Braj Bhushan Mishra, AC to AAG-9

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and the State.

This writ application has been filed seeking a writ in the nature of Writ of Mandamus commanding the respondents to issue 'No Objection Certificate' in favour of the petitioner institute for conducting different courses i.e. Master of Medical Lab Technology, Master of Ophthalmic Technology, Master of Operation Theatre Technology, Master of Imaging Technology and other courses.

Learned counsel for the petitioner submits that the Institute has been established in the district of Khagaria with all necessary infrastructures for recommendation/NOC for



conducting different courses. The petitioner has taken steps for getting affiliation from Aryabhatta Knowledge University and for the courses in which 'No Objection Certificate' has already been made available to the Institute, the University has made available the affiliation but so far as these courses are concerned, at this stage the petitioner is waiting for issuance of 'No Objection Certificate' which is a condition precedent for grant of affiliation by the University.

It is, however, submitted that an inspection has already been conducted and report has been submitted to the Department but the same is pending consideration for a long time.

A counter affidavit has been filed on behalf of respondent nos. 1, 2 and 3. In paragraph '7' of the counter affidavit, a statement has been made that Inspection Team has submitted its report to the Department which is being duly examined and necessary decision will be taken as soon as possible in this matter in accordance with law.

In the nature of the grievance of the petitioner and the stand taken on behalf of the Department, this Court directs respondent nos. 1 to 3 to take appropriate decision in the matter in accordance with law within a period of two months from the



date of receipt/communication of a copy of this order. Such decision shall be communicated immediately thereafter.

The representation, if any, of the petitioner with regard to other matters shall also be considered and disposed of by the competent authority within the aforesaid period.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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