

03.08.2023
Item No.15
Ct. No. 238
AKG

WPA 9147 of 2023
Rasmani Biswas
Vs.
State of West Bengal & Ors.

Mr. Lutful Hoque

...for the Petitioner

Mr. Ranjan Saha,
Mr. Parikshit Goswami

...for the State

Mr. N. Roy

...for Board

The petitioner had been working as an Health Assistant at Bishnupur RH, Krishnanagar, Nadia. There is no dispute that the petitioner was granted by the State the status of 'Trainee Reserve' by the State to join the General Nursing Midwifery course, 2022, following an order dated September 21, 2022, passed by the West Bengal Administrative Tribunal.

Learned advocate appearing for the petitioner submits that initially, the petitioner sought admission at the Institute of Nursing, Brainware University at Barasat. The petitioner, however, could not pursue the General Nursing Midwifery course at the said college since at that relevant point of time, the status of 'Trainee Reserve' was not available with her.

Subsequently, the different Nursing Colleges under the State were authorised to admit the

students without a centralized counseling process by a notification dated September 7, 2022. Following such notification, the petitioner took admission at Minerva School & College of Nursing at Krishnanagar.

It appears that the petitioner was provisionally allotted to the Institute of Nursing, Brainware University by a letter dated March 16, 2023, by the State following the “Trainee Reserve” status granted to her.

The learned advocate appearing for the petitioner further submits that since the petitioner could not join the Institute of Nursing, Brainware University, she subsequently, took admission at Minerva School & College of Nursing and the State should be directed to issue a letter of allotment in her favour in respect of the said college.

It appears that the petitioner has made a representation before the Director, Health Services, Government of West Bengal, Swasthya Bhawan, Kolkata for a change in her allotted institute for General Nursing Midwifery course by a letter dated March 17, 2023. It is her grievance that such representation has not yet been considered.

I am of the view that the petitioner was granted the status of “Trainee Reserve”, allowing her to pursue General Nursing Midwifery course. There

cannot be any ground to deny the allotment letter to the petitioner for the Institute from where she is currently pursuing the said course.

In that view of the matter, this writ petition is disposed of with a direction upon the Director of Health Services, Swasthya Bhawan, Kolkata to issue a fresh letter of allotment in favour of the petitioner so that the petitioner can continue her study from the institute namely, Minerva School & College of Nursing at Krishnanagar.

Let such allotment letter be issued to the petitioner within two weeks from the date of communication of this order.

Accordingly, **WPA 9147 of 2023** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Kausik Chanda, J.)