

09.05.2024
Item No.110
Ct. No.238
S.A.

WPA 12698 of 2024
Rajanya Ghosh & Ors.
-vs-
The West Bengal University of Health Sciences
& Ors.

Mr. Srijib Chakraborty
Mr. Rittick Chowdhury
...for the petitioners

Mr. D. N. Maiti
Mr. A. Santra
...for the respondent nos.1 & 2

Mr. Mihir Saha
...for the respondent nos.3, 4, 6 & 7
Mr. Nilotpal Chatterjee
...for the Indian Nursing Council

The petitioners are the students of B.Sc. Nursing course at different colleges in the State. It is the common grievance of the petitioners that their names have not been registered with the university.

This Court requested Mr. Nilotpal Chatterjee, learned advocate, who usually appears for Indian Nursing Council, to assist the Court in this matter. Mr. Chatterjee submits that none of the petitioners have been successful in the relevant entrance examination namely, JENPAS-UG, 2023-24. Mr. Chatterjee submits that without qualifying in the said examination, the petitioners could not have been admitted to the colleges for the course.

Mr. Mihir Saha, learned advocate representing respondent nos.3, 4, 6 and 7, in fact, admitted that none of the petitioners qualified in the JENPAS-UG,

2023-24 examination. He, however, submits that by a notice dated, October 21, 2022, the State allowed decentralised college level admission following the institutional entrance examination without clearing JENPAS-UG examination since many vacancies in different nursing colleges in the State could not be filled up by JENPAS-UG qualified candidates.

The said notification was applicable for the Session 2022-23 only.

Nothing has been produced before this court to show that for the academic session 2023-24, also same relaxation has been granted by the State. Therefore, I am of the view that the petitioners are not eligible for the registration under the university.

Mr. Srijib Chakraborty, learned advocate appearing for the petitioners submits that the petitioners, by an interim order, should be allowed to take the examination without creating any equity.

I am not inclined to entertain such prayer. In a number of occasions, the Hon'ble Supreme Court has cautioned against admission of ineligible students by an interim order. This Court is not satisfied with regard to the eligibility of the petitioners to pursue the B.Sc. Nursing course. No order is passed in this writ petition.

Accordingly, **WPA 12698 of 2024** is dismissed.

(Kausik Chanda, J.)