

HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

Present:

THE HON'BLE JUSTICE JAY SENGUPTA

WPA 26639 of 2024
Genex Nursing Institute
versus
The State of West Bengal and others

For the petitioner	Mr. Sambhunath De
For the respondent Nos.	Mr. D.N. Maiti
4 & 5	Mr. Aseemdipta Santra
For the INC	Mr. Nilotpal Chatterjee
Lastly heard	27.11. 024
Judgment on	27.11.2024

JAY SENGUPTA, J:

1. This is an application praying for direction upon the respondent authorities, especially the respondent No. 5, to take expeditious steps so that the petitioner – College can participate in the admission process of students at the earliest.

2. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a college that had applied for permission to run B. Sc. Nursing Course and for affiliation with the respondent

University. The Essentiality Certificate was given long back. The University has not yet granted permission to run the college. But, the admission process has already started for the courses. Reliance is placed on a decision of this Court passed on 12th September, 2024 in WPA 22452 of 2024.

3. Learned counsel appearing on behalf of the respondent-University denies the allegations and submits as follows. The respondent – University has initiated a process for conducting an inspection as required for the college. Thereafter, they have to decide whether to grant affiliation to the college or not. However, March 31, 2024 was the final date for submitting application for the session 2024-2025. Therefore, even if an affiliation is granted in the coming days, the college would be able to participate in the process of the students only for the next session.

4. Learned counsel appearing on behalf of the Indian Nursing Council submits that time has already lapsed for the college to participate in the admission process for the oncoming session.

5. It is true that the petitioner-college has made an application quite some time ago. They have also been granted Essentiality Certificate.
6. However, even the required inspection has not been done by the University as yet.
7. In view of the above and in the interest of justice, let the University carry out the inspection as required in accordance with law,

preferably within a month from this date and thereafter, expeditiously decide upon whether to grant affiliation to the petitioner college and for which session.

8. With these observations, the writ petition is disposed of.
9. As affidavits are not invited, allegations made in the writ petition are deemed not to have been admitted.
10. Parties shall act on the server copy of the order downloaded from the official website of the Calcutta High Court.

(Jay Sengupta, J)