



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

203

CWP-26789-2023(O&M)
DATE OF DECISION : 3rd July, 2025

**National Welfare Health Education
Awareness Charitable Society** Petitioner

Versus

**Punjab Nurses Registration Council
and others** Respondents

AND

CWP-30120-2024(O&M)

**National Welfare Health Education
Awareness Charitable Society Kumar** Petitioner

Versus

Indian Nursing Council and another Respondents

**CORAM : HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

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Present : Mr.R. Kartikeya, Advocate for the petitioner.

Mr.Ranjit Singh Kalra, Advocate with
Ms.Mona Yadav, Advocate for respondent
- Punjab Nurses Registration Council.

Mr.Salil Sablok, Sr.DAG, Punjab.

Mr.Ambanshu Sahni, Advocate
for respondent – Indian Nursing Council.

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SHEEL NAGU, CJ. (Oral)

A piquant situation has arisen on account of the interim order passed by this Court on 30.11.2023, which permitted admissions to continue subject to petitioner removing deficiency of non-availability of parent hospital which condition has not been fulfilled till date.

2. Admittedly, the petitioner-Institute had obtained a No Objection Certificate dated 20.05.2023 as regards GNM 3 year Diploma Course, which was subject to annual inspection followed by inspection once every three years. The said NOC was also subject to obtaining of recognition from State Nursing Council – respondent No.1. It is further not disputed by the petitioner that no recognition certificate was issued by the State Nursing Council for the academic session 2023-24.

3. It is also claimed by the petitioner-Institute that after the interim order was passed on 30.11.2023, sixty students were admitted for the academic session 2023-24 in the absence of any recognition having been issued in favour of the petitioner. Pertinently, no relevant records regarding students admitted in academic session 2023-24 was forwarded by petitioner to the Nursing Council.

4. During pendency of this case, the State Nursing Council carried out inspection on its own on 11.12.2024 and on the directions of this Court on 19.12.2024. Several deficiencies were found, which are enumerated below:-

- (i) Absence of any society owned or parent hospital;
- (ii) Affiliation Hospital shown by the Society-petitioner was already attached to another society;



- (iii) Absence of any person appointed as Principal as per the record shown;
- (iv) The course-wise details of teachers (faculty members) was not provided;
- (v) Admission records were also not provided, and
- (vi) the details of the students were also not provided to the State Nursing Council.

5. From the above, it is obvious that admissions made by the petitioner Institute in the academic session 2023-24 were unlawful.

6. Faced with the above situation, this Court directs that the students so admitted for the academic session 2023-24 be shifted to some other affiliated and recognised college/institute, for which arrangements shall be made by State Nursing Council and the State Government. This Court is constrained to pass this order to prevent the innocent and gullible students, to be prejudiced.

7. In the given facts and circumstances, it is a case where exemplary cost ought to be fastened upon the petitioner-Institute for fraudulently and unlawfully making admissions for the academic session 2023-24.

8. Learned counsel for the petitioner, at this juncture, submits that the admissions made by the petitioner-Institute were based on an interim order passed by this Court and petitioner ought not to be prejudiced.

8.1 A close scrutiny of the interim order dated 30.11.2023 reveals that there was an assurance given by the petitioner-Institute that



within 10 days parent hospital would be made available, which undertaking has not been fulfilled and, therefore, benefit of said interim order cannot be claimed by the petitioner.

POST-LUNCH SESSION :

9. After the order was dictated to the above extent during the pre-lunch session, learned counsel for the petitioner, after seeking fresh instructions from his clients seeks to withdraw these petitions.

10. Since enough time and energy of this Court has been lost pursuing this cause, therefore, though the aforesaid prayer is acceded to, but subject to payment of Rs.10,000/- to each of the respondents, who have filed response and another Rs.25,000/- in favour of the Poor Patients Fund, PGIMER, Chandigarh, for having wasted precious time of this Court which could have been utilized in hearing more pressing cases.

11. Petitions are dismissed as withdrawn accordingly with cost as aforesaid.

**(SHEEL NAGU)
CHIEF JUSTICE**

3rd July, 2025
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**(SANJIV BERRY)
JUDGE**

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>