

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14187 of 2024

Hirdu Chaudhary Memorial Charitable Trust having its office at Jagdamba Estate Cinema Road, Anwarpur, Hajipur, P.S.- Hajipur, District- Vaishali, Pin- 844101 through its Chairman, Shri Pratik Prakash, Male, aged about 43 years, son of Shri Gopal Prasad Chaudhary, resident of Jagdamba Estate Cinema Road, Anwarpur, Hajipur, P.S.-Hajipur, District- Vaishali, Pin- 844101.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Bihar, Patna.
2. Director in Chief, Directorate of Health Service, Bihar, Patna.
3. Registrar, Bihar Nurses Registration Council, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Sr. Advocate Md. Tauseef Waquar, Advocate Mr. Akshat Kumar, Advocate
For the Respondent/s	:	Mr. Standing Counsel (4)
For the BNRC	:	Mr. Awadhesh Kumar Pandit, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 20-07-2026

Heard Mr. Abhinav Srivastava, learned Senior Advocate on behalf of the petitioner and learned Advocate for the State as well as learned Advocate for Bihar Nurses Registration Council.

2. The grievance of the petitioner is in limited bound to the extent of inaction of the State authorities in not extending recognition in favour of the petitioner's institution for conducting B.Sc. Nursing Course for starting B.Sc Nursing Course.

3. From the materials available on record, it is



imperative that on the basis of application having been submitted on behalf of the petitioner's institution the authorities under the Director in Chief, Directorate of Health Services, Bihar, Patna instructed the authorities of the District of Vaishali to carry out necessary inspection with respect to the fulfillment of requirements, for granting permission for offering B.Sc. Nursing course.

4. On 17.06.2023, No Objection Certificate was issued with a clear stipulation that the institute, in question, fulfilling all the requirement for offering B.Sc. Nursing course. The report was sent to the Director in Chief, Directorate of Health Services, Bihar, Patna for necessary action on 10.08.2023 and accordingly the permission was granted to start B.Sc. Nursing Course at the college, subject to the conditions that the institute will maintain the standard and other terms and conditions indicated therein. In the light of the aforesaid letter, the petitioner also submitted an application with a request to extend permission for inspection of the institute and also deposited necessary fee, as prescribed. The inspection was also conducted and recommendation has been made in favor of the petitioner's institution on 01.03.2024 for starting B.Sc. Nursing course.



5. Notwithstanding the aforesaid fact, the matter of recognition remained pending with the State authorities which compelled the petitioner to approach this Court by filing the present writ petition. Despite repeated direction of this Court on 17.04.2025, 30.04.2026 and lastly on 25.06.2026, till date no counter affidavit has been filed by the State apprising the Court with regard to the claim raised by the petitioner.

6. A supplementary affidavit has been filed on behalf of the petitioner and this Court is apprised that in furtherance of the instructions issued by the concerned authorities under the Health Department, Government of Bihar and also on the basis of inspection having been carried out, as also recommendation has already been made for allowing permission for the college for intake capacity of 60 students for starting B.Sc. Nursing course. Again a meeting was convened in the month of March, 2026 and the petitioner's institution was directed to upload the documents pertaining to the college on the portal of the Department. In furtherance thereof, the petitioner's institution uploaded all the documents and the necessary information. On receipt of such information, a fresh inspection of the college was carried on 25.03.2026 by a team duly constituted by the Director in Chief (Nursing Health



Department).

7. The petitioner, on instruction, submitted that this time again the recommendation was made in favour of the petitioner's institution to start B.Sc. Nursing course with an intake of 60 students but no action has been taken till date.

8. By referring to Annexure P/12 Series, learned Senior Advocate further submitted that different orders in respect of different institution has been issued offering B.Sc. Nursing/A.N.M./G.N.M. with an intake of prescribed number of students but no decision has been taken in respect to the petitioner's institution till date. The matter is pending for more than three years before the State Government and due to which the petitioner's institution and the students had suffered two academic sessions.

9. Learned Advocate for the State prays for another adjournment.

10. This Court laments the conduct of the authorities of the State Government and pained to see that the thrice opportunities were extended to the State respondents to ensure filing of the counter affidavit, but the same has not been done, besides sitting over the matter regarding grant of recognition to the petitioner's institution for the last three years.



11. Considering the materials available on record as well as the submissions advanced by the learned Advocate for the respective parties, this Court directs the respondent no. 2 to take appropriate decision in matter of recognition of the petitioner's institution, in the light of the inspection report and the recommendation made in favour of the institution preferably within a period of three weeks from today.

12. In case of any failure to adhere with the time stipulated herein above which may lead to suffering of another academic session of the institution/ student, appropriate order shall be passed against the erring officials.

13. With the aforesaid direction, the present writ petitioner stands disposed.

(Harish Kumar, J)

siddharth/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.07.2026
Transmission Date	NA

