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IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35065 of 2026
CNR No. ODHC010833742026

The Statesman Academy of Medical Science, Bhubaneswar .... ***Petitioner***

Mr. G.P. Jena, Advocate

-versus-

State of Odisha and Others .... ***Opposite Parties***

Mr. S.N. Nayak, ASC for O.P. No.1
Mr. R.C. Mohanty, counsel for O.P. No.2 & 3

CORAM:
JUSTICE B. P. ROUTRAY
JUSTICE SAVITRI RATHO

ORDER
10.11.2026

Order No.

01. 1. Heard Mr. G.P. Jena, learned counsel for the Petitioner. Mr. S.N. Nayak, learned ASC for opposite party No.1 and Mr. R.C. Mohanty, learned counsel for Opposite Parties No.2 & 3.

2. The Petitioner-Institution has prayed to grant him an opportunity to submit their application for grant of NOC (No Objection Certificate) for GNM and B.Sc. Nursing courses for the academic year for 2026-27. It is submitted on behalf of the Petitioner that its case is covered by the decision of this Court in W.P.(C) No.34496 of 2026 and other similarly situated writ petitions, wherein this Court has granted one more opportunity in respect of such institutions to apply for grant of NOC for imparting the nursing courses for the academic session 2026-27.

3. Mr. Mohanty, learned counsel for Opposite Parties No.2 & 3, objects that the case of the Petitioner is not similar to those other Institutions, as his earlier prayer for grant of renewal of NOC for

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the academic session 2025-26 was rejected on the ground that he submitted a fake Fire Safety Certificate. Therefore, his case cannot be considered afresh similar to other such institutions as permitted by this Court in the above referred matters.

4. Mr. Jena, learned counsel for the Petitioner submits that the date of admission to nursing courses having been extended till 15th November 2026, there would not be any impediment on the part of the authorities to consider the application of the Petitioner for grant of NOC.

5. It remains undisputed that the prayer for grant of renewal of NOC of the Petitioner-Institution for the previous academic year of 2025-26 was rejected on the ground of submission of fake Fire Safety Certificate. Thus, we do not find Petitioner's case as similar to others as referred by him at Annexure-8. Since there was no renewal of NOC granted in favour of Petitioner-Institution for the academic session 2025-26, the Petitioner cannot be considered in the category of such institutions whose NOC was renewed as a matter of continuity. But its case has to be considered in the category of grant of fresh NOC. According to the guidelines issued by the Indian Nursing Council, the last date for application of grant of fresh NOC in respect of such Institutions was fixed to 16th August 2025. Now the time has gone far ahead and we are in November 2026. The last date for taking admission of the students is also nearing and only five days is remaining from today. In such situation, we are not inclined to permit the Petitioner to have the extended opportunity of submission of their application for grant of fresh NOC.

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Accordingly, the prayer of the Petitioner is rejected and the writ petition is dismissed.

6. However, as per submission of the Petitioner, since he has got fresh valid Fire Safety Certificate on 6th November 2025 at Annexure-3, he is at liberty to apply for grant of fresh NOC in respect of its Institution for future academic session.

(B.P. Routray)
Judge

(Savitri Ratho)
Judge

M.K. Panda