

*In The High Court of Judicature For Rajasthan  
At Jai pur*

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**ORDER**

*S. B. Civil Wit Petition No. 16204/2010  
S. B. Civil Wit Petition No. 12660/2009  
S. B. Civil Wit Petition No. 13462/2009  
S. B. Civil Wit Petition No. 13463/2009  
S. B. Civil Wit Petition No. 15911/2009  
S. B. Civil Wit Petition No. 10664/2010  
S. B. Civil Wit Petition No. 16226/2010*

*Date of Order :: 28. 9. 2012*

*Hon'ble Mr. Justice Ajay Rastogi*

Mr. Prahlad Sharma,	]	for petitioners
Mr. BD Agarwal,	]	
Mr. Indresh Sharma,	]	
Mr. Abhishek Sharma,	]	
Mr. Jai Raj Tantia	]	
Mr. RA Kattaa,	]	for respondents
Mr. M Izbal Khan	]	
Mr. Shabhunshu Joshi	]	
Mr. Ganesh Sharma	]	

Instant bunch of petitions since involves common question, hence being decided by the present order.

Counsel for parties jointly submit that controversy raised in the instant bunch of petitions came up for consideration before the Division Bench in DB Special Appeal (Wit) No. 568/12 and decided vide judgment dt. 24. 8. 2012.

Counsel for petitioners submits that present petitions may also be decided in the light of observation made by the Division

Bench (supra). Relevant observation made by the Division Bench is as infra:-

“Thus, we are also of the considered opinion on consideration of the provision of Regulation 1 of the statutory regulations framed in 2007 by the INC under Section 16 of the INC Act, 1947 and that School of Nursing and College of Nursing being different entity, NOC/Essentiality certificate is imperative to be obtained from the State Government before Rajasthan Nursing council can take up the matter for recognition/affiliation”.

Learned counsel appearing on behalf of petitioner-institutions have submitted that they may be permitted to apply to the State Government for grant of NOC/Essentiality Certificate. They are permitted to do so. In case, applications are filed for grant of NOC/Essentiality certificate, the same shall be considered within a period of one month from the date of filing of the application. Thereafter, the RNC has to take a decision in accordance with law”.

Thus, in the light of the judgment of Division Bench (supra), the present bunch of petitions stand disposed of with the direction that in case, the petitioners apply to the state government for grant of NOC/Essentiality certificate, the same shall be considered within a period of one month from the date of

filling of the applications and thereafter, the RNC may take a decision in accordance with law.

( Ajay Rastogi ) , J.

DSR-

"All corrections made in the judgment/order have been incorporated in the judgment/order being emailed"

Datar Singh  
P.S.