

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF MARCH, 2021

BEFORE

THE HON'BLE MR.JUSTICE R DEVDAS

WRIT PETITION NO.6332 OF 2021 (EDN-EX)

BETWEEN

1. VANIE NURSING SCHOOL
NO. 32-35, THUNGA NAGAR,
HERO HALLI, VISHWANEEDAM POST,
MAGADI MAIN ROAD, BANGALORE-560091.
REPRESENTED BY PRINCIPAL
MR. BAIJU.K.P
2. BISWAJIT MRIDHA
D/O, RANJIT MRIDHA
AGE ABOUT 21 YEARS
3. DEBOSHREE PRAMANIK
S/O, RAMCHANDRA PRAMANIK
AGE:22
4. ISHIKA DAS
D/O BINOD DAS
AGE ABOUT 19 YEARS
5. APARNA PRAMANIK
D/O GOBARDHAN PRAMANIK
AGE ABOUT 29 YEARS
6. SAMPA CHHATUI
D/O, BISWANATH CHHATUI
AGE ABOUT 29 YEARS

7. ARNATRI SARDAR
 D/O, BHARAT SARDAR
 AGE ABOUT 19 YEARS
8. CHUMKI SARDAR
 D/O, TAPAN SARDAR
 AGE ABOUT 20 YEARS
9. NAJMUN KHATUN
 D/O, MOHIUDDIN MOLLA
 AGE ABOUT 25 YEARS
10. MARUFA LASKAR
 D/O, JAYNAL LASKAR
 AGE ABOUT 28 YEARS
11. JIARUL MOLLA
 D/O MOMIN ALI MOLLA
 AGE ABOUT 21 YEARS
12. MUSTAFIJA ZIA
 S/O, ZIAUL HAQUE MOLLA
 AGE ABOUT 24 YEARS
13. REJAUL BAIDYA
 S/O, MANNAF BAIDYA
 AGE ABOUT 23 YEARS
14. NASIMA KHAN
 D/O, GIYAS UDDIN KHAN
 AGE ABOUT 29 YEARS
15. MEHEBUB GAZI
 S/O, ZOHURUL GAZI
 AGE ABOUT 18 YEARS

PETITIONERS NO.2-15 ARE STUDENTS OF 1ST YEAR GNM
NURSING IN THE 1ST PETITIONER SCHOOL.

...PETITIONERS

(BY SRI.AMARESH N, ADVOCATE)

AND

1. THE KARNATAKA STATE NURSING COUNCIL,
REP: BY ITS REGISTRAR,
NIGHTINGALE TOWER,
GANDHINAGAR,
BANGALORE - 560 009
2. KARNATAKA STATE DIPLOMA IN NURSING
EXAMINATION BOARD,
REP: ITS SECRETARY,
1ST FLOOR, LIBRARY BLOCK,
BMC AND RESEARCH INSTITUTE CAMPUS,
BENGALORE-560 002

...RESPONDENTS

(BY SMT. SUMANA M.BALIGA, ADVOCATE FOR R1,
SRI.YOGESH.D.NAYAK, ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE R-2 BOARD TO ISSUE HALL TICKET BY ACCEPTING THE BALANCE OF EXAMINATION FEE AND PERMIT THE PETITIONER STUDENTS TO TAKEUP THE 1ST YEAR GNM EXAMINATION AND ETC.

THIS WRIT PETITION IS COMING ON FOR PRELIMINARY HEARING THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

R. DEVDAS J., (ORAL):

The petitioner is an institution affiliated to the respondent No.1-Karnataka State Nursing Council. Its grievance is that even after it has furnished all the information and details of the students including the original marks card to the respondent

No.1-Council, there has been delay in allotting the registration numbers of some students pursuing their studies in the petitioner institution.

2. Learned counsel for the petitioner submits that the petitioner institution has admitted students for the academic year 2019-2020 and sought for approval from the respondent No.1-Council to admit the students. The list of students and their documents were uploaded in the website of respondent No.1-Council in accordance with the revised circular dated 18.11.2019 issued by respondent No.1-Council. As per the circular, the last date for submission of the list of students along with the required document was 31.12.2019.

3. Learned counsel for the petitioner draws the attention of this Court to the circular dated 18.11.2019 at Annexure-C, wherein the respondent No.1-Council has clearly stated that the list of students and documents uploaded by the respective institutions on or before 31.12.2019 shall be forwarded by the Council to the respondent No.2 – Karnataka State Diploma in Nursing Examination Board. The respondent

No.2-Board was required to assign the registration numbers and issue hall tickets to all the eligible students to take up the examination.

4. Learned counsel for the petitioner submits that in terms of the instructions given in the circular dated 18.11.2019, the list of the students along with scanned copies of documents including the marks card were uploaded in the official website of the respondent No.1-Council on or before 31.12.2019. Thereafter as per the requirement, the original documents have been furnished to the respondent No.1-Council for verification.

5. During the course of similar proceedings and during the hearings, it has been submitted at the hands of the respondents that due to the Covid-19 pandemic, the Indian Nursing Council took a decision not to conduct any examination for the I year course. Therefore it is an admitted fact that the examination has not been conducted with respect to the fresh students of the year 2019-2020. The learned counsel for the respondent No.2-Board has also submitted that the registration numbers along with hall tickets will be issued to all the students

who have been admitted in terms of the list forwarded by the respondent No.1-Council.

6. In the light of the submissions made by the learned counsel for the respondent and in view of the acceptance of the contentions raised by the learned counsel for the petitioner, this writ petition stands disposed of with a direction to the respondent No.2-Board to issue the registration numbers and hall tickets in respect of all the admitted students in terms of the list forwarded by the respondent No.1 Council pertaining to the students of the petitioner institution, as and when the examinations are announced. Since the examination is scheduled to commence from 05.04.2021, the learned counsels for respondents and the Board are hereby directed to inform the Authorities regarding the orders passed by this Court and ensure that hall tickets are issued to the students in order to enable them to write the examination.

Ordered accordingly.

**SD/-
JUDGE**