

(2020) 06 J&K CK 0058

In the Jammu And Kashmir High Court

Case No : Other Writ Petition No. 1373 Of 2011

Data Ranpat Dev Instt. Of Med. Services

APPELLANT

Vs

State Of J&K And Others

RESPONDENT

Date of Decision : 30-06-2020

Acts Referred:

Citation : (2020) 06 J&K CK 0058

Hon'ble Judges : Rajesh Bindal, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rajesh Bindal, J

1. The petitioner approached this Court praying for the following reliefs :-

"a) Direct the respondents to grant the NOC to the petitioner institute for running the Para Medical courses in terms of the recommendations made by the Chief Medical Officer to the Director Health Services vide Annexure-D.

b) Direct the respondents to regularise the admissions made by the petitioner institute pursuant to the recommendations made by the Chief Medical Officer and also allow the students admitted by the petitioner institute to undertake examinations for the courses and practical training."

2. While issuing notice in the petition on 29.09.2011, this Court passed the following order :-

"Notice.

Requisites for service within one week.

CMP No. 1896/2011:

Notice.

Meanwhile, State Medical Faculty, Jammu is directed to conduct inspection of the

petitioner-Institute and take appropriate decision, as warranted under rules, to consider its Application for extension of No Objection Certificate (NOC).

List in November, 2011."

3. A perusal of the aforesaid order shows that inspection of the petitioner-Institute was directed to be conducted and the application for extension of No Objection Certificate (NOC) was to be considered.

4. Thereafter, on 02.07.2012 this Court passed the following order:-

"Heard learned counsel for the parties on CMA No. 1267/2012.

The State Medical Faculty is stated to have conducted the inspection of the petitioner-Institute. All that remains to be done is to consider the petitioner's request for issuance or otherwise of 'No Objection Certificate/Renewal of Permission' to run the Para Medical Courses.

This CMA is, therefore, disposed of with a direction to the Commissioner-Secretary to Government, Health and Medical Education Department, Civil Secretariat, Srinagar to take appropriate decision as warranted under Rules on the petitioner's request in view of the Inspection Report of the State Medical Faculty within three weeks."

5. A perusal of the aforesaid order shows that in fact, the final relief itself was granted to the petitioner as this was the only prayer made by the petitioner in the writ petition.

6. Thereafter, the matter was never listed in Court as it was not pursued by the petitioner. Apparently, the petitioner has lost interest to pursue the present petition and get the same listed or may be with the interim directions issued by this court, the petitioner has already been granted relief by the authority concerned.

7. There are matters pending in this court in which issue of admission to various professional courses and other classes is involved. In some by interim order either admission was granted or seats were directed to be kept vacant but the cases are still lying in court for decades. There are matters where issues regarding construction of roads, culverts, schools, colleges, community centres and other projects of development are pending consideration before this court. In some cases interim stay has also been granted. In these cases even the government departments and counsels are not taking any interest to furnish the requisite information to the court and get those cases disposed of. In fact, as a result of pendency of these types of cases lot of development projects have been put on hold. These are few examples being noticed. There are many more.

8. Regularly, the cause list is being issued, which is being uploaded on the website of the High Court. The same is accessible to the Advocates as well as to the litigants. In the cause list issued for this Court, a specific note is being printed to the following effect:

"All Advocates whose cases are listed in cause list are requested to contact the concerned Bench Secretary-Mr. Hilal Yousuf on Mobile No. 9419150533 / Reader-Mr. Reagan Thakur on Mobile No. 9419140621."

9. In the present case as well none of the parties contacted the Bench Secretary or Reader of this Court.

10. Detailed reasons have been noticed in order dated June 30, 2020 passed in SWP No. 2374/2002 titled as Santosh Kumari Vs. State of J&K and others."

11. The aforesaid facts clearly establish that the prayer made in the present petition has been rendered infructuous and nothing survives therein, at this stage. The same is accordingly, dismissed.