

(2012) 08 KAR CK 0162

In the Karnataka High Court

Case No : Writ Petition No. 26870-892 of 2012 (Edn-Ad)

**Sri. Shivarathri Rajendra Nursing School and Indian Nursing Concil
Combined Councils, Karnataka State Nursing Council, Karnataka State
Diploma In Nursing Examination Board and Government Of Karnataka
Department Of Health and Family Welfare Medical Education**

Date of Decision : 06-08-2012

Acts Referred:

Citation : (2012) 08 KAR CK 0162

Hon'ble Judges : Ram Mohan Reddy, J

Bench : Single Bench

Advocate : Abhishek Malipatil, for the Appellant; Shivarudra, For R1 and N.B. Viswanath, Aga For R-2 TO 4, for the Respondent

Final Decision : Allowed

Judgement

Hon''ble Mr. Justice. Ram Mohan Reddy

1. The reliefs in these petitions filed by the Management and students of a nursing school are, to direct the 1st respondent to accept and approve the list of students of the first year GNM (General Nursing and Midwifery) Course and forward the same to the Nursing Examination Board. Learned counsel for the parties submit that the relief sought for is fully covered by a decision of a learned Single Judge in W.P. Nos. 17016-17076/2012, in the case of Sri. Vagdevi School of Nursing and Others vs. Karnataka State Nursing Council and Another, disposed on 01.06.2012

2. Shri. Shivarudra, learned counsel for the Karnataka State Nursing Council does not oppose the submission. For the very same reason as are set-out in the aforesaid order, these petitions are accordingly allowed.

3. In the result, the petitions are allowed in terms of the order dated 01.06.2012, in W.P.17016-76/2012 extracted below:

6. On hearing the learned Advocates, I pass the following order:

- i) The respondent no.1 shall examine whether the first petitioner has all the statutory clearances to run the GNM Course.
- ii) The respondent no. 1 shall also examine whether the petitioner nos.2 to 61 meet the eligibility criteria in all other respects for being admitted to the GNM Course.
- iii) The respondent no. 1 shall also examine whether the admission has taken place within the prescribed last date.
- iv) If the respondent no. 1 is satisfied that the petitioner no.1 has all the statutory clearances and the petitioner nos.2 to 61 have all the eligibility and if the admissions are made before the prescribed last date, the respondent no.1 is directed to accord approval to the admissions of the petitioner nos.2 to 61. It shall not reject the approval only on the ground of delay in submitting the admission list.
- v) For not adhering to time schedule in the matter of submission of admission list, the first petitioner is directed to pay the late fees / penalty at the rate of Rs. 1,000/- per student. It shall pay Rs.60,000/- to the first respondent. It is made clear that the said amount shall not be collected from the petitioner Nos.2 to 61. The amount of penalty has to be borne by the first petitioner alone.
- vi) On the petitioner no. 1 paying the penal amounts and on the respondent no.1 satisfying itself of the first petitioners entitlement to admit the students and the petitioner nos.2 to 61 meeting the eligibility criteria, if the respondent no.1 approves the admissions of the petitioner nos.2 to 61, the same shall be intimated to the respondent no.2 immediately so as to enable the petitioning students to appear for the forthcoming GNM Examination.