

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 5711/2025

Vivekanand Vidya Ashram Sansthan

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

Connected With

- 1.S.B. Civil Writ Petition No. 10024/2026
2. S.B. Civil Writ Petition No. 18027/2024
3. S.B. Civil Writ Petition No. 846/2025
4. S.B. Civil Writ Petition No. 19566/2025
5. S.B. Civil Writ Petition No. 21286/2025
6. S.B. Civil Writ Petition No. 21321/2025
7. S.B. Civil Writ Petition No. 22773/2025
8. S.B. Civil Writ Petition No. 1504/2026
9. S.B. Civil Writ Petition No. 1602/2026
10. S.B. Civil Writ Petition No. 1634/2026
11. S.B. Civil Writ Petition No. 1775/2026
12. S.B. Civil Writ Petition No. 2456/2026
13. S.B. Civil Writ Petition No. 4355/2026
14. S.B. Civil Writ Petition No. 4433/2026
15. S.B. Civil Writ Petition No. 4580/2026
16. S.B. Civil Writ Petition No. 4776/2026
17. S.B. Civil Writ Petition No. 4796/2026
18. S.B. Civil Writ Petition No. 4798/2026
19. S.B. Civil Writ Petition No. 4811/2026
20. S.B. Civil Writ Petition No. 5577/2026
21. S.B. Civil Writ Petition No. 6743/2026
22. S.B. Civil Writ Petition No. 6859/2026
23. S.B. Civil Writ Petition No. 7107/2026
24. S.B. Civil Writ Petition No. 7283/2026
25. S.B. Civil Writ Petition No. 8084/2026
26. S.B. Civil Writ Petition No. 8811/2026
27. S.B. Civil Writ Petition No. 9518/2026
28. S.B. Civil Writ Petition No. 9547/2026

29. S.B. Civil Writ Petition No. 9563/2026
30. S.B. Civil Writ Petition No. 9586/2026
31. S.B. Civil Writ Petition No. 10139/2026
32. S.B. Civil Writ Petition No. 10471/2026
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For Petitioner(s) : Mr. Ankur Mathur with
Mr. Harshvardhan Thanvi.
Mr. Vikas Bijarnia.
Mr. Pushkar Taimni.
Mr. Rishabh Purohit.
Mr. Shreyansh Mardia.
Ms. Shaambhavi Bhansali.
Mr. Avinash Chandra Vyas.
Mr. Harsh Chordia.

For Respondent(s) : Mr. Rajendra Prasad, Advocate
General assisted by
Mr. N.S. Rajpurohit, AAG.
Mr. S.S. Ladreacha, AAG.
Mr. Vinay Kothari.
Mr. Mahendra Vishnoi.
Mr. Mitul Jain.
Mr. Sangram Singh.
Ms. Reshi Soni

HON'BLE MR. JUSTICE SANJEET PUROHIT
Order

22/05/2026

1. Present bunch of writ petitions has been filed seeking issuance of directions to respondent authorities for grant of NOC to the petitioner - institutions for BSc Nursing/GNM courses.
2. Learned counsel for the petitioners submitted that the State Government issued new guidelines for establishment of Nursing Colleges/Schools vide order dated 15.10.2024 and, in pursuance thereof, the petitioner-institution, after establishing the necessary infrastructure and other facilities, submitted their applications for grant of NOCs. The applications of all the petitioner-institutions are lying pending at different stages, for which the present writ petitions have been filed on the ground that, though Clause 10 of

the Policy/Guidelines dated 15.10.2024 provides for time-bound disposal of such applications within 90 days, yet the same have not been decided despite lapse of more than one and a half years.

3. In respect of some of the petitioner - institutions, present writ petitions constitute the second round of litigation, as in the earlier round, directions had been issued to respondent department to finalize the process for grant of NOC in a time-bound manner. However, the said direction have not been complied with.

4. While taking note of said fact, this Court in ***S.B. Civil Petition No. 5711/2025 (Vivekanand Vidya Ashram Sansthan Vs. State of Rajasthan & Ors.)*** directed learned counsel for respondents to place on record a compliance report of order dated 14.01.2025, failing which, Principal Secretary, Medical and Health Department was directed to remain present on 25.02.2026.

5. On 25.02.2026, Principal Secretary, Medical and Health Department appeared through video conferencing and informed this Court that, since a large number of applications had been received for grant of NOCs for B.Sc. Nursing / GNM courses, matter had been referred to a Higher Level Committee for taking a final policy decision.

6. This Court, having considered the submissions advanced by learned counsel for the parties, directed Principal Secretary, Medical and Health Department to file a detailed personal affidavit explaining the aspects mentioned in para 14 of said order.

7. Relevant part of order dated 25.02.2026 is quoted below:-

"11. Having considered submissions advanced at the Bar, this Court is of prima facie view that once a policy has been framed by State authorities and applications have been invited pursuant thereto, requiring institutions to deposit substantial amounts towards application fees, security deposits, inspection fees, etc., there appears to be no justification for respondent-Department to keep such applications pending for more than one and a half years.

12. Submissions made by counsel representing the institutions carry weight inasmuch as, pursuant to advertisement issued by the State authorities themselves, petitioner-institutions have already developed the requisite infrastructure and have suffered the loss of one academic session for no fault of their own.

13. Learned AAG has informed this Court that out of 676 applications received, NOC has already been granted to 73 institutions. However, no explanation has been furnished as to how certain specific applications have been processed and finalised, whereas the remaining applications are allegedly kept pending awaiting a policy decision of the Higher Level Committee. This Court is therefore not satisfied with the explanation offered by the State authorities for the delay.

14. Accordingly, the Principal Secretary, Medical and Health Department, Government of Rajasthan, is directed to file a personal affidavit explaining: (i) reasons for referring the matter to a Higher Level Committee for taking a new policy decision after having already invited applications under an existing policy; (ii) present status of the pending applications; (iii) reasons for granting NOC only to 73 institutions; and (iv) further course of action proposed to be undertaken by State authorities in this regard. Said affidavit shall be filed within a period of ten days from today.

15. Further orders shall be passed by this Court upon consideration of additional affidavit to be filed by the Principal Secretary, Medical and Health Department."

8. In pursuance of said order, an additional affidavit was filed, however, the same was found to be incomplete as all the information sought by this Court were not supplied. Accordingly, further directions were issued vide order dated 25.02.2026.

9. The matter was listed on 13.05.2026, wherein learned Advocate General, Mr. Rajendra Prasad, requested that the matter be listed on 22.05.2026 so as to apprise this Court regarding the status of pending applications as well as final decision pending at the level of State Government.

10. Today, learned Advocate General has placed on record the present status of the applications. Perusal of the said information, filed in tabulated form, reveals that 676 applications were received in pursuance of initial guidelines dated 15.10.2024. In some cases NOCs have already been granted, whereas in some cases the inspection reports submitted by the Scrutiny Committee are pending consideration before the department. In certain cases, the files are ready for inspection of the respective institutions; yet no inspection was carried out. However, with regard to most of the applications, no action has yet been taken by the respondent-department to process the same. Learned Advocate General has sought further time to apprise this Court regarding the final policy decision to be taken by the State Government concerning the pending applications.

11. This Court takes note of the fact that on 25.02.2026, the Principal Secretary, Medical and Health Department had sought three months' time for the Higher Level Committee to resolve the issue and decide the fate of pending applications for grant of NOCs for the respective courses. The said period of three months is nearing completion; however, no substantial progress in this regard has been apprised to this Court.

12. In view of the assurance given by learned Advocate General that a final decision regarding the issue of grant of NOCs to the institutions shall be taken by the State Government and the same shall be apprised to this Court on the next date of hearing, this Court deems it appropriate to grant one last opportunity to the State Government for finalization of the issue involved in the present bunch of writ petitions.

13. Accordingly, list these matters on 29.06.2026 at 2 PM.

14. It is expected that by the said date, a final decision shall be taken by the State Authorities.

15. During the course of arguments, learned counsel for the petitioners relied upon the directions issued by the Hon'ble Division Bench in ***D.B. Civil Writ Petition No. 23307/2025 (Fortune Foundation & Anr. Vs. State of Rajasthan & Ors.)***, decided on 12.01.2026, wherein the Hon'ble Division Bench specifically directed that, applications of bona fide institution seeking No Objection Certificate for participation in centralized counselling process shall be considered and decided at least 45 days prior to commencement of the first round of counselling.

16. The relevant part of said order is quoted below:-

"22. Accordingly, this Court directs that, for the next academic session, application submitted by a bona fide institution seeking No Objection Certificate from the respondents for the purpose of participating in the centralized counselling process for admission and allotment of students to the B.Sc. Nursing Course shall be considered and decided at least 45 days prior to the commencement of the first round of counselling. In the event of any deviation from the aforesaid timeline, the State shall be liable to compensate the affected institutions by way of costs proportionate to the delay so occasioned."

17. While referring to the said order, learned counsel for the petitioners prayed that no further round of counselling be conducted till the issue of NOCs in favour of the petitioner-institutions is decided.

18. Learned Advocate General submitted that, since no counselling process has commenced as yet, nor has any notification in this regard been issued, no such directions are required at this stage.

19. In view of the assurance given by learned Additional Advocate General, this Court refrains from passing any direction with regard to counselling process at this stage. However, the issue of due compliance of the directions contained in the judgment passed in **Fortune Foundations (supra)** shall also be considered on the next date of hearing.

(SANJEET PUROHIT),J