IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.37526 OF 2025

CNR No.ODHC010949372025

Abhay Kumar Sharma .... ***Petitioner***

Mr. Manoja Kumar Khuntia, Advocate

-versus-

State of Odisha and others .... ***Opp. Parties***

Mr. Debaraj Mohanty, AGA
(for O.P. No.1)
Mr. B.K. Ragada, Advocate
(for O.P. No.2)
Mr. R.C. Mohanty, Advocate
with Mr. K.C. Swain, Advocate
(for O.P. Nos.3 and 4)

CORAM:
HON'BLE MISS JUSTICE SAVITRI RATHO
HON'BLE MR. JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

Order No. **18.11.2026**

07. **I.A. No.22599 of 2026 & W.P.(C) No.37526 of 2025**

1. This matter is taken up through Hybrid Mode.

2. The facts those are relevant for the present adjudication are that the petitioner is a institution conducting the course of B.Sc. (Nursing). Prayer made in the writ petition before this Court is reproduced herein:

> *"It is therefore humbly prayed that this Hon'ble Court may graciously be pleased to admit the case, call for the records and after hearing both the parties pass the following reliefs;*
>
> *(i)To direct the Opp. Parties to accept the proposal book for affiliation with late fees of Rs.1000/- per day from 01.12.2015 till 08.12.2025.*

(ii)To direct the Opposite Parties to grant affiliation in favour of the petitioner's Institute in respect of B.Sc. and PB B.Sc. course for the academic session 2025-26 in the name of SIEMS college of Nursing.

And pass such other order/orders as may be deemed fit and proper for the interest of justice."

3. On the earlier occasion the coordinate Bench by order dated 09.01.2026 had directed the following:

"1. It is submitted by the learned counsel Mr. B.K. Ragada appearing for opposite party No.2-University that he has received instructions from the authority that amount of Rs.1,10,000/- (Rupees one lakh ten thousand) with GST, as late fee has to be deposited by the petitioner-Institution for grant of affiliation.

2. It is submitted by the learned counsel Mr. Khuntia for the Petitioner, that amount is exorbitant as the required amount of fee is Rs.50,000/- (Rupees fifty thousand) and the petitioner is ready and willing to pay the same immediately.

3. It is submitted that petitioner is an Institution imparting studies in Post Basic Bachelor of Science in Nursing and Bachelor of Science in Nursing. The students come from a very humble background and in the said background of the petitioner-Institution has to manage the entire courses of study with whatever fees paid by the students. The Institution is not aided nor any amount as grant is received from the Government.

4. The learned counsel Mr. Ragada appearing for the opposite party No.2-University has adjournment to obtain instructions regarding reasonable amount that could be deposited as late fee for grant of affiliation apart from all the statutory dues, fees etc. those are required to be deposited by the Institution with the University.

5. In our considered view, considering the facts and circumstances of the case, it would be just and proper and equitable for the University to accept Rs.50,000/- (Rupees fifty thousand) with GST as late fee which again is 100% of the required fee, making the total deposit 200%.

6. During pendency of the writ petition, it shall be open for the University to accept Rs.50,000/- with GST and grant affiliation, subject to result of the Writ Petition.

7. The matter is adjourned.
Liberty to mention."

4. It is stated by the petitioner in the writ petition as well as submitted by the learned counsel for the petitioner that though the authorities allowed the petitioner-institution to forward the names of the students who took admission for Post Basic Bachelor of Science Nursing/B.Sc. Nursing, only two hours were available on the last date i.e. 31.01.2026. Therefore, the petitioner could not send the names of seven students as mentioned in the I.A. No.22599 of 2026, to the authorities i.e. Opposite Party Nos.3 and 4 as well as Opposite Party No.2.

5. Mr. R.C. Mohanty, learned counsel upon instruction submits that as the petitioner institution did not send the names of the students, there was no occasion for the authorities: Opposite Party Nos.3 and 4 to send the names to the University except names of the two students those were submitted by the institution on 31.01.2026.

6. Mr. Ragada, learned counsel submits that unless the names of the students are forwarded by the appropriate authorities i.e. Opposite Party Nos.3 and 4, they had no occasion to take note of the students getting admission in the institution.

7. Considering the difficulties faced by the students, who have already taken admission with a hope to prosecute the studies in Nursing, it is directed that the petitioner-institution shall again submit the details of the students along with all supporting documents before the Opposite Party No.3-Director of Medical Education and Training, Odisha, Keshari Nagar, Bhubaneswar and Opposite Party No.4-Odisha Nurses and Midwives Registration

Council, represented through its Registrar, Bhubaneswar during course of the day by 5 P.M. today.

8. All the documents and details shall be submitted in physical mode. If the authorities so decide they can allow the petitioner to upload the documents online, which shall be open to be accessed by the petitioner for this particular purpose. The authorities, Opposite Party Nos.3 and 4 shall forward the details of the students to the University by 19.11.2026. The University authority shall accept the candidature/studentships of those seven students along with requisite fees. Also the petitioner shall deposit additional fees of Rs.1,500/- per student.

It is submitted that the requisite fees are Rs.3,500/- to which Rs.1,500/- shall be added and accepted making the amount to be Rs.5,000/- per student. Since the petitioner has approached this Court by filing I.A. on 16.11.2026 almost after 10 months of the earlier order allowing admission of the students, the petitioner shall also deposit a cost of Rs.50,000/- in the Juvenile Justice Fund of the High Court of Orissa within a period of three weeks from today. It is also clarified that the students shall not be made to pay the additional amount or the cost as directed by this Court.

9. An undertaking is given on behalf of the petitioner-institution through the learned counsel before this Court that the amount shall not be reimbursed/collected from the seven students who have taken admission to prosecute their studies.

10. This order shall not be treated as a precedent in other cases to be cited for extending the date of admission for any student to any other course, as it has been passed taking into account the facts of this case.

11. With the aforesaid direction, the writ petition along with I.A. are disposed of.

The parties shall have the liberty to act upon the copy of this order obtained from the official website of this Court.

Urgent certified copy be issued as per rules.

(Savitri Ratho)
Judge

(Mruganka Sekhar Sahoo)
Judge

Radha/Jyostna

Signature Not Verified
Digitally Signed
Signed by: RADHARANI JENA
Reason: Authentication
Location: OHC
Date: 18-Nov-2026 15:16:10