



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34499 of 2026
CNR No. ODHC010824572026

(An application under Articles 226 & 227 of the Constitution of India)

DRIEMS University, Tangi, ... Petitioner
Cuttack

-versus-

Directorate of Medical Education & Opposite Party
Training, Odisha, Heads of
Department Building,
Bhubaneswar

Advocate(s) appeared in this case:-

For Petitioner : Ms. T. Shreyashi, Advocate

For Opposite Party : Mr. R.C. Mohanty, Advocate

CORAM: JUSTICE B.P. ROUTRAY
JUSTICE SAVITRI RATHO

JUDGMENT
16th October 2026

B.P. Routray, J.

1. Heard Ms. T. Shreyashi, learned counsel for the Petitioner and Mr. R.C. Mohanty, learned counsel for the Opposite Party.

2. The matter is listed on board as per the additional list and considering the urgency involved, it is taken up for final disposal as requested by all parties.



3. The Petitioner–institution is imparting different Under Graduate (UG) and Post Graduate (PG) Allied Health Care courses such as, BOT, BPT, MPT and MOT. It has approached this Court for a direction to the Opposite Party for grant of renewal of No Objection Certificate (NOC) for conducting above courses for the current Academic Year in accordance with prevailing statutes/rules.

4. The background facts remain that the Petitioner–institution was earlier granted renewal of NOC for conducting such courses in previous Academic years. But for the year 2024 onwards, the renewal of NOC was not granted in its favour due to lack of valid Fire Safety Certificate. According to the Petitioner, the institution has not acquired valid Fire Safety Certificate in February 2026 (Annexure-8) and became eligible for grant of renewal of NOC for conducting such course.

Earlier the last date for admission to Nursing courses was fixed to 30th September 2026 and thereafter, it has been extended to 31st October 2026. In the meantime, some similarly situated institutions, who could not apply for renewal of NOC in due time, approached this Court in W.P.(C) No.7990 of 2026 and batch and this Court vide order



dated 13th August 2026 permitted those institutions to make application for renewal of NOC with payment of extra amount of Rs.50,000/- over and above the required fees. This Court had fixed timeline up to 24th August 2026 for making the application by those institutions as the last date. The relevant portion of the direction of this Court dated 13th August 2026 is reproduced below:-

8. We make this order as a one-time measure. Accepting the submission of Mr. Mohanty, learned counsel appearing for the DMET, that other institutions similarly situated may not take advantage of this order to approach the Court and seek a similar order as fence-sitters, we made it clear that hereafter, no further extension of time to apply for renewal/grant of NOCs shall be granted on the ground of equitable considerations.

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10. We reiterate and highlight that this order is passed in the context and facts of the present batch of cases, taking into account the interest of students who are seeking admission and the fact that the admission process is continuing till 30th September, 2026. In any event, since we are not deciding the matter on merits and on the question of law, this order shall not have any precedential value.

11. The Petitioners are directed to apply to the authority(ies) by 24th August, 2026, peremptorily, failing which no further extension shall be granted in any manner whatsoever. The authorities shall act upon production of the



website copy of this order. The Petitioners-Institutions are also directed to file the hard copy along with scanned/soft copies of all the documents before the authority(ies) by the said date, along with the requisite fees/fine and extra amount, as directed above, in the form and manner (e.g. Demand Draft, IMPS, RTGS, NEFT, etc.) that is usually accepted by the authority(ies).

5. It is submitted on behalf of the Petitioner that since the date of admission into the courses has been now extended up to 31st October 2026 (Annexure-11), an extended opportunity may be granted to the Petitioner as a last chance to make his application for renewal of the NOC, in the light of the direction of this Court passed in earlier writ petitions.

6. Mr. Mohanty, learned counsel appearing for Opposite Parties 2 and 3 submits on the contrary that the direction of this Court dated 13th August 2026 in earlier writ petitions was issued as a onetime measure without the effect of precedence. He further submits that if, at this stage present Petitioner is permitted to apply for renewal of NOC, other similarly placed institutions may also come for similar reliefs.



7. It needs to be stated here that, an order passed by this Court in similar matters cannot be ignored for issuance of similar directions on the ground of parity. The Hon'ble Apex Court in ***State of Odisha vs. Priyambada Pattanaik***, SLP No.10598 of 2024, decided on 9th September 2024, have stated that, *“Although in the aforesaid order, it is stated that this order passed is in the peculiar facts and circumstances, however, it shall not be treated as a precedent, but since we find the same set of facts and circumstances arising out of the same State, the Special Leave Petition is disposed of in the same terms and conditions.”*

It is true that present Petitioner did not approach this Court in time as the other institutions applied earlier. However, in the meantime, there was a change of fact due to extension of date of admission into the Allied Health Care courses. Earlier the last date for admission was fixed to 30th September 2026 and it has been now extended to 31st October 2026, thereby giving opportunity and time to apply for grant of renewal of NOC afresh in respect of the left out institutions like present Petitioner.



8. In the circumstances of the present case and keeping in view the earlier order of this Court dated 13th August 2026 issued in the previous batch cases, we do not see any reason to deprive the Petitioner of the same benefit granted in respect of similarly situated institutions. Thus, as per the principles of parity, we are inclined to extend similar benefit in favour of the Petitioner.

9. At this stage, it is important to keep in mind the timeline as the last date of admission into the Allied Health Care courses, i.e. BOT, BPT, MPT & MOT courses is fixed to 31st October 2026. Keeping the same in view, i.e. the timeline for admission into the Allied Health Care courses, we permit present Petitioner to make his application either through e-Portal or physically, by tomorrow, i.e. on or before 17th October 2026 positively. We further highlight that the Petitioner is to deposit additional amount of Rs.60,000/- (Rupees sixty thousand only) over and above the required fees as he did not justify any diligent attempt to apply before the last date fixed for the purpose. The Petitioner has to apply on or before 17th October 2026, peremptorily, failing which no further extension shall be granted to him in any manner whatsoever. Upon receipt of the application from the



Petitioner, the authorities shall act upon in accordance with law, and take a decision thereof as soon as possible, preferably on or before 27th October 2026.

10. With aforesaid observations and directions, the writ petition is disposed of.

(B.P. Routray)
Judge

(Savitri Ratho)
Judge

B.K. Barik/A.R.-cum-Senior Secretary