

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5268 OF 2013
WITH CA/15582/2013 IN WP/5268/2013

NANDA AAI BAHU UDDESHIYA VIKAS MAHILA MANDALS SCHOOL OF
NURSING
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Gujar Gajendra L
AGP for Respondent No.1: Mr. K.M. Suryawanshi
Advocate for Respondent No.2 : Mr. Chandrakant A. Jadhav
Advocate for Respondent No.3 : Mr. Alok Sharma
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**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATED : 16th JUNE, 2015

P.C. :-

1. The present writ petition is filed by institution seeking direction against respondent No.2 to allow petitioner to enroll 20 students admitted for RANM course for the academic year 2012-13 in the petitioner school and the students be permitted to appear for the examination. The challenge is also raised to the communication dated 6.6.2012 issued by respondent No.2.

2. We have heard Mr. Gujar, the learned counsel for petitioners, Mr. Suryawanshi, learned A.G.P. for respondent No. 1, Mr. C.A. Jadhav, the learned counsel for the respondent No. 2, Mr. Alok

Sharma learned counsel for respondent No.3.

3. This Court vide order dated 12th July, 2013 had allowed the students studying in petitioner college to appear for the examination subject to the outcome of the present writ petition. The students thereafter appeared for the examination. It is contended that the petitioner/institution has been granted affiliation for the year 2013-2014. Then necessary suitability certificate is issued in favour of petitioner/institution and affiliation is granted for the year 2014-2015. So also considering the fact that, the students admitted in the year 2012-13 were allowed to prosecute further studies. It was also considered that, the institution was granted provisional affiliation for the year 2012-2013. The results of the students are also declared. All these facts lead us to order declaration of the results in respect of the students studying in petitioner college and are directed to be given admission to the next year in case they are found to be eligible after declaration of results.

4. It is made clear that if the students studying in petitioner college, after declaration of result, are found eligible they would be given admission in the next academic year as regular students.

5. For the irregularities committed by the petitioner/institution, we

mulct the petitioner/institution with fine of Rs. 75,000/- (Rs. Seventy Five thousand only). The learned counsel for the respondents graciously submits that, the petitioner may deposit the amount of Rs. 75,000/- with the Advocates Bar Association of High Court Bench at Aurangabad. The said statement is accepted. The petitioner/institution shall deposit the amount of Rs. 75,000/- (Rs. Seventy Five thousand only) with the Advocates Bar Association of High Court, Bench at Aurangabad, within two weeks from today. The writ petition accordingly is disposed of.

6. In view of disposal of writ petition, civil application No. 15582 of 2013 stands disposed of.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)

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