

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MCA NO. 1170/2015 IN WRIT PETITION NO. 2575 OF 2014

(Indian Nursing Council thr. Its Joint Secretary vs. Aai Sarswati Bahu-uddeshiya Mahila Vikas Sanstha thr. its President Mrs. Bharati Milind Thombare & Ors.) WITH

MCA NO. 1172/2015 IN WRIT PETITION NO. 3340 OF 2014

(Indian Nursing Council thr. Its Joint Secretary vs. Pragati Bahu-uddeshiya Adivasi Gramin Vikas Sanstha thr. its President/ Secretary Shri Prakash Sonaji Kalaskar & Ors.) AND

MCA NO. 1173/2015 IN WRIT PETITION NO. 2831 OF 2014

(Indian Nursing Council thr. its Joint Secretary vs. Om Sai Education Society thr. its President & Ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
A.S. CHANDURKAR, JJ.
NOVEMBER 20, 2015.**

Heard Mrs. Gauri Venkatraman, learned counsel for the applicant – original respondent No.3, Shri Parchure, learned counsel for respondent No. 1 - original petitioners and Shri J.Y. Ghurde, learned AGP for the respondent - State.

Indian Nursing Council is before this Court seeking clarification about the directions contained in the orders dated 27.01.2015 while disposing of Writ Petition Nos. 2575/2014, 3340/2014 and 2831 of 2014. The submission is, in the year 2015, it is not possible to go in past and verify the infrastructural or other facilities which then needed to be provided.

Mrs. Venkatraman, learned counsel submits that inspection reports for the year 2013-14 are available and on the basis of those reports and other material in custody of Indian Nursing Council, the appropriate decision on lines as contained in the orders of this Court can be reached.

Shri Parchure, learned counsel, who appears for the respective original petitioners submits that the petitioners have necessary material. He further adds that in earlier Academic years i.e. prior to 2013-14, the students have been allowed to appear and their results are declared. For the later years i.e. after 2013-14 again the students have been examined and their results are also declared. He, therefore, states that the issue is in relation to the year 2013-14 and if previously there was no deficiency and in later years there was no deficiency, there is no question of any deficiency being found in the year 2013-14. He adds that the petitioners can produce relevant records, if so demanded by the applicant – Indian Nursing Council.

In this situation, we permit the applicant – Indian Nursing Council to look into all such material as they find relevant for finding out whether students who have taken education in the Academic year 2013-14 with the petitioners and appeared for examination, have received necessary instructions and training as per law in terms of orders dated 27.01.2015.

With these observations and liberty, we dispose of all three MCAs with no order as to costs.

JUDGE

JUDGE