

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 2575 OF 2014

Aai Saraswati Bahuuddeshiya Mahila Vikas Sanstha Pulgaon Vs. State of maharashtra medical Edu. & Reseqrch Deptt. Mumbai & Ors.

WRIT PETITION NO. 2831 OF 2014

Om Sai Edu. Society & Ano. Vs. State of Mah. Medical Edu & Drug Deptt. & Ors.

WRIT PETITION NO. 3340 OF 2014

Pragati Bahuuddeshiya Adivasi Gramin Vikas Sanstha Shegaon Vs. State of Mah. Medical Edu. & Drugs Deptt. Mumbai & Ors.

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

Court's or Judge's Order

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Shri Anand Parchure Adv for Petitioners.
 Smt Hiwase AGP for respondent 1.
 Ms. Vidya Umale Adv h/f Shri Khare Adv for
 respondent 2.
 Smt Venkatramani Adv for respondent 3..

CORAM: B. P. DHARMADHIKARI &
A.S.CHANDURKAR JJ.

DATED: 27th JANUARY, 2015.

On 30.05.2014 this Court has permitted students admitted by respective petitioners to undergo examinations to be held at the end of academic year 2013-14. It is not in dispute that petitioners then did not have a suitability certificate for said year. The suitability certificate was not issued because they could not provide 100 bedded own hospital and for lack of other clinical

infrastructure facilities suitability was not granted.

The petitioners do not plead compliance with a need of 100 bedded hospital. Record shows that in subsequent year 2014-15 they have been given suitability certificate. Thus atleast in that year they satisfy all the requirements.

Students have already been permitted to appear in the examination. Hence, only question before this Court is whether said students have received standard and adequate training or instructions in the year 2013-14. The petitioners in these petitions have not expressly stated that during said year they had made some alternate arrangement and therefore education of students had not suffered any set back. Similarly, respondents who have filed reply also do not come with said defence. Thus subsequent events show that whatever lacunae were found existing in earlier year, were there only in 2013-14. Interest of justice therefore can be met with by directing respondent no.1 to verify whether students who appeared for examination have received necessary instructions and training with proper infrastructure and 100 bedded hospital.

We direct the respondent Indian Nursing Council to complete this verification at the cost of respective petitioners within a period of four weeks from today. If Indian Nursing Council is

satisfied that petitioners had made adequate alternate arrangements, results of students who had already undergone training and appeared for examination shall thereafter be declared immediately. With these directions the petitions are disposed of.

Steno copy of the order be supplied to the counsel for the parties.

JUDGE

JUDGE

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