

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.3269/2016

(Shri Ganesh Education Society, Yavatmal vs. Maharashtra Nursing Council, Mumbai and
another)

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

Court's or Judge's order

.....
Mr. R.J. Shinde, Advocate for the petitioner

CORAM : SMT. VASANTI A.NAIK &
MRS.SWAPNA JOSHI, JJ.

DATED : 14th June, 2016

Heard.

By this Writ Petition, the petitioner challenges the show-cause notice issued by the Maharashtra Nursing Council, dated 23rd July, 2015 asking the petitioner as to why the Council should not withdraw the permission granted to the petitioner-Institution, to admit students for RANM Programme, from the academic session 2015-16, on the basis of the inspection reports. The petitioner seeks a direction to the Maharashtra Nursing Council to decide the representation of the petitioner.

The prayers made by the petitioner cannot be granted. The petition is premature. By this Writ Petition, the petitioner is challenging the show-cause notice served on the petitioner by the Maharashtra Nursing Council, in the month of July

2015. It is the case of the petitioner that the petitioner has tendered the reply to the show cause notice and has also made the representation. If the Nursing Council has not taken any adverse action against the petitioner in pursuance of the show cause notice, there is no cause for the petitioner to challenge the show-cause notice. Since no adverse action is taken against the petitioner and since the petitioner is only served with the show cause notice, that too one year earlier, the Writ Petition cannot be entertained.

In the result, the Writ Petition fails and is dismissed with no order as to costs. The petitioner is, however, at liberty to approach this Court in case an adverse action is taken against the petitioner. Order accordingly.

JUDGE

JUDGE

sahare