

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

901 WRIT PETITION NO. 7721 OF 2018

RAJGURU COLLEGE OF NURSING UDGIR RUN BY VISHWABHARTI SEVA
BHAVI SANSTHA SAYYADPUR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Sonavane Narendra D.

AGP for Respondents/State : Mr. S.G. Karlekar

Advocate for Respondents : Mr. Chandrakant A Jadhav for R/2

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**CORAM : R.M. BORDE &
MANGESH S. PATIL, JJ.**

DATE : 26.09.2018

PC. :-

An affidavit has been presented by the petitioner stating therein that ten students who have been admitted on the basis of the permission accorded by the Indian Nursing Council were specifically intimated that their admission would be subject to grant of permission by the Maharashtra Nursing Council. It is recorded in para 1 of the affidavit in reply thus:

“1. I say that, as far as 10 students for whom the present petition is filed were put on notice by affixing the notice on the notice board and were also informed personally that their admission will be subject to the further permission by Maharashtra Nursing Council for intake capacity of 30 students and their admission for the academic year 2017-2018 for Ist year is provisional one and subject to decision of Maharashtra Nursing Council. It was also informed that their

*original documents and admission fees will be accepted after confirmation of admission by Maharashtra Nursing Council and it was also informed that the petitioner institution will not be responsible for their educational loss if Maharashtra Nursing Council rejects permission for additional admission of the students. The admission given to the 10 students is on the basis of permission granted by the Indian Nursing Council. Hence the admission given to the 10 students was subject to permission by Maharashtra Nursing Council. Hence the 10 students were well known about this fact and four students i.e. Punam Laxman Gadve, Priya Dhananjay Bansode, Usha Shivvaji Golve and Swati Ganpat Vibhute have taken admission for GNM course in Bhakti institute of Nursing at Pandharpur and bonafide certificate is also issued to them on 24.09.2018. The petitioner submit that, initially the examination was to be held on 24.07.2018 and as no permission was granted by this Hon'ble Court or by Maharashtra Nursing Council and as the examination was postpone to 25.09.2018, the 10 students have left the institution and there is no complaint filed by those students to any authority or to the college. Hereto annexed and marked as **EXHIBIT 'P-1'** are the copies of intimation dt.30.09.2017 and bonafide certificate dt. 24.09.2018."*

2. In the circumstances, there shall be no difficulty for permitting the petitioner to withdraw the petition. If at all any of the aggrieved students amongst the ten admitted irregularly approaches this Court or any other forum for redressal of their grievance, there shall be no bar for them to claim

appropriate relief. Considering the request made by the petitioner, the writ petition is disposed of as withdrawn.

[MANGESH S. PATIL, J.]

[R.M. BORDE, J.]