

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

WRIT PETITION NO. 5883 OF 2020

AMD Institute of Nursing, run by
Shramsafalya Sevakbahi Sanstha,
through its President .. Petitioner

Versus

The State of Maharashtra and anr. .. Respondents

Mr Shambhuraje V. Deshmukh, Advocate for petitioner
Mr S.N. Kendre, A.G.P. for respondent No.1
Mr M.D. Narwadkar, Advocate for respondent No. 2

- AND -

WRIT PETITION NO. 5884 OF 2020

People's Institute of Nursing, run by
Disha Bahuuddeshiya Sevakbahi
Sanstha, through its President .. Petitioner

Versus

The State of Maharashtra and anr. .. Respondents

Mr Shambhuraje V. Deshmukh, Advocate for petitioner
Mr S.N. Kendre, A.G.P. for respondent No.1
Mr M.D. Narwadkar, Advocate for respondent No. 2

WRIT PETITION NO. 5885 OF 2020

People's Institute of Nursing, run by
Disha Bahuuddeshiya Sevakbahi
Sanstha, through its President .. Petitioner

Versus

The State of Maharashtra and anr. .. Respondents

Mr Shambhuraje V. Deshmukh, Advocate for petitioner
Mr S.N. Kendre, A.G.P. for respondent No.1
Mr M.D. Narwadkar, Advocate for respondent No. 2

WRIT PETITION NO. 5886 OF 2020

VSS School of Nursing, run by

Vindyachal Shikshan Sanstha,
through its President

..Petitioner

Versus

The State of Maharashtra and anr.

.. Respondents

Mr Shambhuraje V. Deshmukh, Advocate for petitioner
Mr K.N. Lokhande, A.G.P. for respondent No.1
Mr M.D. Narwadkar, Advocate for respondent No. 2

**CORAM : RAVINDRA V. GHUGE AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 27th AUGUST, 2020

PER COURT:

1. In all these identical petitions, the petitioners have put forth identical prayer clause (B). By way of a specimen, we are reproducing prayer clause (B) in the first petition, which is as under :

" To issue Writ of Mandamus or any other appropriate Writ, order or directions in the like nature the Respondents to decide the proposal of the Petitioner dated 29.7.2019 (Exh-A) for sanction of General Nursing Midwifery Diploma Course (GNM) and grant permission accordingly within a period of 2 weeks."

2. The learned A.G.P. submits that the pending proposals of the petitioners will have to be decided by respondent No. 2. The learned Advocate for respondent No. 2 - The Maharashtra State Board of Nursing and Paramedical Education submits that certain rules are applicable while considering proposals for sanctioning General Nursing Midwifery Diploma Course (GNM) and Auxiliary Nursing Midwifery Diploma Course (ANM). A time schedule has also been prescribed. Respondent No. 2 can consider

the proposals of the petitioners and if it finds that the proposals are defective, it would have to pass an order deciding the fate of the said proposals.

3. The learned Advocate for respondent No. 2 further submits that it is a long drawn procedure for considering such proposals since inspection of the infrastructural facilities of the applicants will have to be carried out by the Special Committee. He, therefore, submits that there cannot be a time frame for deciding such proposals and respondent No. 2 cannot rush through such proposals by short-circuiting the procedure, which is prescribed by rules. He further submits that the pending proposals are for the academic year 2019-2020 and respondent No. 2 will have to decide whether these proposals can now be considered for the said academic year.

4. The learned Advocate for the petitioners submits that the perspective plan is for a period of five years from 2018-2023 and the petitioners are, therefore, hopeful.

5. In view of the above, these petitions are disposed off. It is expected that respondent No. 2 would consider the said proposals in accordance with the procedure laid down and by following all procedural formalities. Needless to state, these proposals would be considered in accordance with the standards prescribed and we have not expressed any opinion on the merits of the proposals of the petitioners.

(SHRIKANT D. KULKARNI, J.)

(RAVINDRA V. GHUGE, J.)