

WP-6744-2020

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

WRIT PETITION NO.6744 OF 2020

Sant Gagdebaba Shikshan Prasarak
Mandal's Rajmata Ahilyadevi Institute
of Nursing (GNM) at Parbhani road,
District Parbhani through its President
Sau. Karuna w/o Balasaheb Kundgir

..Petitioner

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mr S.R. Yadav-Lonikar, A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

- AND -

WRIT PETITION NO. 6770 OF 2020

Jankalyan Bahuddeshiya Pratisithan's
Muktai Nursing School (GNM)
at post Dhangarwadi Raod,
Sai Baba Nagar Wadi Phati, Nanded
through its President
Rekha w/o Lalbaji Ghate

..Petitioner

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mr S.R. Yadav-Lonikar, A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

WP-6744-2020

WRIT PETITION NO. 6771 OF 2020

Mukta Salve Bahuuddeshiya Samajik
Sanstha's Nirmithi Nursing School (ANM),
Gandhi Nagar, Nanded through its Secretary
Lalbaji s/o Govind Ghate and anr.

.. Petitioners

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mrs V.S. Choudhari, A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO.6772 OF 2020

Mahatma Phule Gramin Vikas
Sevabhavi Sanstha's
Savitri Bai Phule Nursing Institute
(GNM), at post Jalkot,
Taluka Jalkot, Dist. Latur
through its Secretary
Chandan s/o Shrhari Patil

..Petitioner

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mr S. B. Pulkundwar A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO. 6773 OF 2020

Bhima Shankar Shikshan Sanstha's
Bhimashankar Nursing School (GNM),
at post Shirodhan,
Taluka Kandiar, District Nanded
through its Secretary
Madhavrao s/o Govindrao Pandagle

..Petitioner

WP-6744-2020

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mr S.R. Yadav-Lonikar, A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO. 6774 OF 2020

Kazi Education and Social Welfare
Society's Indra Gandhi GNM Nursing School,
Parbhani, Taluka and District Parbhani
through its Secretary
Md. Kalimoddin s/o Md. Moinoddin

..Petitioner

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mr S.G. Karlekar, A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO. 6900 OF 2020

Gitai Sevabhavi Shikshan Sanstha's
Samarth Nursing School (GNM),
Mudkhed, Taluka Mudkhed,
District Nanded, through its
Administrative Officer
Ajinkya s/o Yeshwantrao Pawar

..Petitioner

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

WP-6744-2020

Mr C.A. Jadhav, Advocate for petitioner
 Mr S.R. Yadav-Lonikar, A.G.P. for respondents no.1 and 2
 Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO. 6901 OF 2020

Samaj Sevi Sevabhavi Sanstha's
 Mother Teresa Nursing School (GNM),
 Selu Taluka Selu, Dist. Parbhani,
 Through its President
 Shaikh Abdul Rub Shaikh Abdul Rahman

..Petitioner

Versus

The State of Maharashtra,
 through the Secretary for
 Medical Education and Drugs
 Department, Mantralaya,
 Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
 Mrs V.S. Choudhari, A.G.P. for respondents no.1 and 2
 Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO. 6902 OF 2020

Bhavani Sevabhavi Sanstha's
 Blessing Institute of Nursing (GNM),
 Parbhani, Taluka and District Parbhani
 through its Administrative Officer
 Mohsin Khan Nasarulla Khan Pathan

..Petitioner

Versus

The State of Maharashtra,
 through the Secretary for
 Medical Education and Drugs
 Department, Mantralaya,
 Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
 Mrs M.A. Deshpande, Addl. G.P. for respondents no.1 and 2
 Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO. 6903 OF 2020

Shree Sai Bahuuddheshiya Sevabhavi
 Sanstha's Sai Institute of Nursing (ANM),
 Near Mahatma Phule School, Nanded
 Through its President
 Manoj s/o Annarao Kadam and anr.

.. Petitioners

WP-6744-2020

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioners
Mr S.G. Karlekar, A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO. 6904 OF 2020

Prakashchand Jain Bahuddheshiya Sanstha's
New Nursing Institute (ANM)
at Jamner, Taluka Jamner,
District Jalgaon, through its Secretary
Manoj s/o Prakashchand Kawdiya

..Petitioner

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mr S.R. Yadav-Lonikar, A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO. 6905 OF 2020

Savitribai Phule Education & Welfare
Society's Sahara Nursing School (GNM),
Parbhani District Parbhani,
through its President

..Petitioner

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mrs V.S. Choudhari, A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

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WRIT PETITION NO. 6906 OF 2020

Savitribai Phule Education & Welfare
Societies Aadarsh Narsing School
(ANM & GNM), Basmat, Taluka Basmat,
District Hingoli, through its President
Mohsin Khan Nasarulla Khan Pathan

..Petitioner

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mrs M.A. Deshpande, Addl. G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO. 6907 OF 2020

Prayag Sevabhavi Shikshan Santha's
Prayag Nursing School (ANM),
Nanded, Taluka and Dist. Nanded
through its President
Manish s/o Vajinathrao Kawale

..Petitioner

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mr S.G. Karlekar, A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO. 6908 OF 2020

Aai Tulja Bhavani Bahuuddheshiya
Sevabhavi Sanstha's Rajmata Nursing
School (ANM), Nanded, through its President
Manoj s/o Annarao Kadam and anr.

.. Petitioners

Versus

WP-6744-2020

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mr S.R. Yadav-Lonikar, A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

WRIT PETITION NO. 6909 OF 2020

Jai Malhar Seva Pratishthan's
Omkar Nursing School (ANM & GNM),
Biloli Taluka Biloli, Dist. Nanded
through its Secretary
Sayaram s/o Sanggonda Parsure

..Petitioner

Versus

The State of Maharashtra,
through the Secretary for
Medical Education and Drugs
Department, Mantralaya,
Mumbai 32 and ors.

..Respondents

Mr C.A. Jadhav, Advocate for petitioner
Mrs V.S. Choudhari A.G.P. for respondents no.1 and 2
Mr M.D. Narwadkar, Advocate for respondent no.3

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 19th October 2020

PER COURT:

1. Heard Mr Jadhav, learned Counsel for the petitioners, learned Addl.G.P./ A.G.P. for respondents no.1 and 2 and Mr Narwadkar, learned Counsel for respondents no.3.
2. The petitioners have filed applications for grant of permission to open new GNM and ANM Nursing Colleges. The applications are pending with respondent no.3 – Board.

3. It is submitted that as per the procedure, respondent no.3 has to conduct inspection and forward the proposals to the Government for grant of essentiality certificates and after the essentiality certificates are received, the Board will take decision to grant affiliation. The further process shall not be stopped by respondent no.3 - Board on the ground that policy decision was taken to stop the GNM Course. The said decision was set aside by this Court at Nagpur.

4. The applications are pending with respondent no.3 - Board. Upon hearing the learned Counsel for the parties, we pass the following order :

- ORDER -

(I) Respondent no.3 – Board shall consider the applications of the petitioners, for opening new GNM/ANM Colleges; carry out the inspection and forward the proposals to the Government by 15th November 2020. The State Government shall thereafter take decision, for grant of essentiality certificates to the petitioners on its own merits. The said decision may be taken by 30th November 2020 and communicated to respondent no.3. Thereafter, the further process be done immediately.

(II) With these observations and directions, Writ Petitions are disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)