

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

**PUBLIC INTEREST LITIGATION NO.1 OF 2012
WITH
CIVIL APPLICATION NO. 11924 OF 2013
IN PIL/1/2012**

**BALASAHEB SHIVAJI RALEBHAT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Shri Ajinkya Kalhe h/f
Shri S. B. Talekar

AGP for Respondent No.1: Shri G. O. Wattamwar

Advocate for Respondent No.3 : Shri V. R. Dhorde i/b
Shri R. N. Dhorde, Senior Advocate

Advocate for Respondent No.2 : Shri C. A. Jadhav

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**CORAM : SUNIL P. DESHMUKH AND
B. U. DEBADWAR, JJ.**

DATE : 21st JANUARY, 2020

PER COURT :

1. The petitioner has challenged essentiality certificate issued by respondent No.1 – State Government dated 15-07-2011 in favour of respondent No.3 - Shri Sai Nursing College, Jamkhed and permission given by respondent No.2 – Maharashtra Nursing Council to respondent No.3 for conducting general nursing and midwifery course and for appointment of independent committee for inspection of respondent No.3 Nursing College at Jamkhed and take necessary action thereon.

2. After hearing learned counsel for parties, it emerges that, having regard to the need to have General Nursing and Midwifery Schools as well as ratio of nurses available to the population of Maharashtra, it is desirable to grant permission to start a General Nursing and Midwifery School at Jamkhed with capacity of 60 students and, thus, essentiality certificate dated 15-07-2011 was issued. As far as this aspect is concerned, the need to have a General Nursing and Midwifery School at Jamkhed is not seriously disputed.

3. It appears that respondent No.2 had carried out inspections from year to year and permissions have been accorded, albeit, petitioner is bit apprehensive but is not in a position to overcome veracity of those.

4. There appear to be inspections by the State as well as by respondent No.2 and while there is no dispute on that, as of now, inspections are being regularly carried out and requisite permissions are granted and that deficiencies as were perceived by the petitioner have been taken care of. As such, appointment of independent committee, may not be imperative.

5. In view of the same, no orders appear to be required in the present situation. The public interest litigation is, therefore, disposed of.

6. The amount deposited by petitioner may be remitted to the High Court Legal Services Sub-Committee, Aurangabad

7. In view of disposal of public interest litigation, Civil Application No.11924 of 2013 seeking amendment to present public interest litigation also stands disposed of.

(B. U. DEBADWAR, J.)

(SUNIL P. DESHMUKH, J.)

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