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

911 CIVIL APPLICATION NO.5661 OF 2021
IN WP/11106/2016 WITH WP/11106/2016 WITH WP/11108/2016

SHIVA TRUST'S SUPRIYADIDI SULE COLLEGE OF NURSING
THROUGH PRESIDENT
VERSUS
THE INDIAN NURSING COUNCIL THROUGH ITS REGISTRAR
AND OTHERS

Mr A. D. Shinde, Advocate h/f Mr A. V. Hon, Advocate for
applicant/petitioner;
Mr Alok Sharma, Advocate for respondent No.1;
Mr C. A. Jadhav, Advocate for respondent No.2

WITH
WRIT PETITION NO.11108/2016

SHIVA TRUST'S SHRUTI NURSING SCHOOL
THROUGH PRESIDENT
VERSUS
THE INDIAN NURSING COUNCIL THROUGH ITS REGISTRAR
AND ANOTHER

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Mr A. D. Shinde, Advocate for applicant/petitioner;
Mr Alok Sharma, Advocate for respondent No.1;
Mr C. A. Jadhav, Advocate for respondent No.2

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 15th July, 2021

PER COURT:

1. Despite the matter having been granted a pass over and a message having been sent to Advocate Mr K. M. Suryawanshi, he has not remained present to represent respondent No.3 – Maharashtra State Health University.

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2. By this civil application, the applicant-petitioner has put forth prayer clauses (A) and (B) as under :

“A) Grant this civil application and the writ petition No. 11106 of 2016 be disposed off in the light of the order dated 9.10.2017 passed by this Hon’ble Court in writ petition No. 11260 of 2017 with writ petition No.10639 of 2017.

B) The respondents Maharashtra University of Health Sciences be directed to issue degree certificates to all the students of the applicant college who have been passed B.Sc. Nursing Course of 2016-17 batch.”

3. Mr Alok Sharma, the learned Advocate representing the Indian Nursing Council, New Delhi, submits, in the light of the judgment delivered by this Court on 09/11/2017 in Writ Petition No.11260/2017, filed by the Private Nursing Schools and Colleges Management Association versus the Union of India and Writ Petition No.10639/2017, filed by Shiva Trust’s Supriyadidi Sule College of Nursing at Wadala Mahadeo (the petitioner before us) versus the Indian Nursing Council and others, that this Court has ruled that it would be the Maharashtra Nursing Council and not the Indian Nursing Council which can entertain the grievance of the petitioner and prayer clause (B) put forth by this applicant-petitioner.

4. The learned Advocate representing respondent No.2 - Maharashtra Nursing Council, submits on instructions that respondent No.2 has no

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objection for granting prayer clauses (A) and (B) set out in this civil application. We repeated our question as to whether he has been authorized by respondent No.2 for making such statement and he has confirmed that he has been instructed to make such statement.

5. In view of the above, this civil application is allowed in terms of prayer clauses (A) and (B) reproduced above. Consequently, both the writ petitions stand disposed off.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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