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

915 WRIT PETITION NO.2239 OF 2022

**SHILENDRA VIVEKANAND PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. R.A. Joshi, Advocate for petitioner;
Mr. A.S. Shinde, A.G.P. for respondent no.1;
Mr. Alok M. Sharma, Advocate for respondent no.2 ;
Mr. Chandrakant A. Jadhav, advocate for respondent no.3

**CORAM : R.D. DHANUKA
AND
S. G. MEHARE, JJ.**

DATE : 16th March, 2022

P.C.

1. The petitioner has filed the present petition for seeking a writ of mandamus or direction against the respondents to grant 'Mercy Chance' as contemplated under notification dated 15.3.2019, issued by respondent no.2 Indian Nursing Council and to permit the petitioner to appear for practical examination of third year for Revised General Nursing & Midwifery Course.

2. When the matter was argued for some time, the learned Counsel for the petitioner states that his application for second chance

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can be considered in view of the said notification dated 15.3.2019 issued by respondent no.2 for relaxation of the terms and conditions prescribed under the said notification.

3. The petitioner has cleared all the examinations and could not appear for practical examination and sought permission to appear for practical examination. The said application is still pending.

4. The Indian Nursing Council is directed to consider the said application in line with the notification dated 15.3.2019 issued by the said Council and shall pass an order within eight weeks from today. The order that would be passed by the Indian Nursing Council shall be communicated to the petitioner within one week thereafter.

5. It is made clear that this Court has not expressed any views on merits of the matter.

6. The contentions of both parties are kept open.

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7. Writ Petition is disposed of in above terms. No order as to costs.

8. Parties to act upon authenticated copy of this order.

(S. G. MEHARE, J.)

(R.D. DHANUKA, J.)

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