

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

WRIT PETITION NO. 4111 OF 2022

Jai Ambe Bhavani Shikshan Prasarak Mandal's
Jai Ambe School of Nursing (ANM and GNM)
Through its President
Dr. Rameshwar Sarangdhar Rajgude .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Mr. Chandrakant A. Jadhav, Advocate for the Petitioner.
Mr. A. R. Kale, AGP for Respondent No. 1.
Mr. M. D. Narwadkar, Advocate for Respondent No. 2.

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

DATED : 05th APRIL 2022.

PER COURT:-

. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks writ of mandamus or writ in the nature of mandamus to respondent No. 1 - State Government to forthwith consider the proposal of the petitioner institute for grant of permission to run ANM and GNM courses with intake of 40 students (each course) from the academic year 2021-2022.

2. The case of the petitioner is that the petitioner has already deposited an amount of Rs. 5,00,000/- (Rs. Five Lakh only) towards

the inspection fees in the Government treasury on 18.10.2021. The committee appointed by respondent No. 2 inspected the petitioner college and recommended the case of the petitioner for grant of permission to run nursing courses with intake capacity of 40 students (each course) to the State Government. The last date for granting admission to the nursing courses is 07.04.2022 as decided by this Court on 31.03.2022 in Writ Petition No. 3961 of 2022.

3. The learned counsel for the petitioner submits that the proposal submitted by the petitioner is still pending before the respondent No. 1 and if the said proposal is not decided by tomorrow, the petition would become infructuous.

4. We accordingly direct the respondent No. 1/The Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai to decide the proposal submitted by the petitioner by 5.00 p.m. tomorrow and shall communicate the order that would be passed to the petitioner forthwith thereafter.

5. It is made clear that, this Court has not expressed any view on the merits of the proposal submitted by the petitioner. All contentions of both the parties are kept open.

6. Writ petition is disposed of in aforesaid terms. No

order as to costs.

7. Parties to act upon authenticate copy of this order.

8. The learned A.G.P. undertakes to convey this order to the respondent No. 1 for information and compliance.

(S. G. MEHARE)
JUDGE

(R. D. DHANUKA)
JUDGE

RS.B.