



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

**WRIT PETITION NO.11858 OF 2023**

1) Gautami Ashraf Londhe,  
Age-22 years, Occu:Education,

2) Sanchika Ashraf Londhe,  
Age-24 years, Occu:Education,

Both R/o-YB Chavan Community Hall  
Nagar Road, Beed.

**...PETITIONERS**

**VERSUS**

1) The State of Maharashtra,  
Through Secretary,  
Higher Technical and Medical Education,

2) Principal,  
Government Nursing College and  
Civil Hospital, Beed.

**...RESPONDENTS**

...  
Mr. Chandrakant V. Thombre Advocate for Petitioner.  
Mr. P.S. Patil, Additional G.P. for Respondent Nos.1 and 2.  
...

**CORAM: SMT. VIBHA KANKANWADI AND  
S.G. CHAPALGAONKAR, JJ.**

**DATE : 4<sup>th</sup> JANUARY, 2024**

**ORDER :**

1. Present Petition has been filed for following prayer:-

"B) By issuing appropriate writ or order, the impugned orders rejecting the applications for the admission to the GNM Course dated 15.09.2023 may kindly be set aside and petitioners may be admitted to the GNM Course for academic year 2023-24."

2. Both the petitioners submit that they had completed H.S.C. and had secured more than 58% marks and thereafter they have completed Nursing Course from recognized institution by securing more than 70% marks. That was the ANM (Auxiliary Nurse Midwifery) Course. Thereafter an advertisement was issued for the admission to the GNM Course by respondent No.2, in response to which both the petitioners have applied, however their applications have been rejected. Hence the Petition.

3. Heard learned Advocate Mr. C.V. Thombre for the petitioners and learned Additional G.P. Mr. Patil appearing for respondent Nos. 1 and 2.

4. It has been vehemently submitted on behalf of the petitioners that no reasons were assigned for rejecting the admission to the petitioners. When the petitioners had secured good amount of marks in ANM Course, that should have been

considered in view of the advertisement that was issued. Learned Advocate appearing for the petitioners is pointing out the advertisement, particularly Column No.4 wherein, in respect of GNM Course it is stated that the candidate would be selected on the basis of his / her marks in ANM Course. He would submit that no other criteria ought to have been considered when the petitioners have completed the ANM Course.

5. Per contra, it has been submitted on behalf of the respondents that the educational qualification for GNM Course was securing minimum 45% marks in Science faculty of H.S.C. and that is as per the rules and regulations issued by the Government and also as per the advertisement inviting applications for the academic year 2023-2024. As both the petitioners had completed their H.S.C. from Arts faculty, they were not even eligible and were not fulfilling the basic criteria.

6. It is to be noted that the condition regarding educational qualification was specifically mentioned in the advertisement by respondent No.2. So also it is prescribed in the Government rules that the candidate should have secured at-least 45% marks in Science faculty in H.S.C. i.e. 12<sup>th</sup> Standard Examination

for securing admission to GNM Course, which is as per the Government Resolution dated 15<sup>th</sup> June 2023. If the petitioners were not possessing basic educational qualification since they passed 12<sup>th</sup> standard examination from Arts faculty, they cannot claim for admission to GNM Course. The reliance placed by the learned Advocate for the petitioners on one of the criteria for the selection to GNM Course appears to be misplaced or misconstrued. It would be in addition to the basic educational qualification, then the marks obtained in ANM Course would be considered while selecting the candidate for admission to GNM Course. There is no merit in the present petition and it deserves to be dismissed.

7. The Writ Petition stands dismissed.

**[S.G. CHAPALGAONKAR]**  
**JUDGE**

**[SMT. VIBHA KANKANWADI]**  
**JUDGE**