



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

WRIT PETITION NO. 13992 OF 2024

Karad Education Society, Latur's
Raireshwari Nursing College,
Through its Principal .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri S. S. Thombre, Advocate for the Petitioner.
Shri S. K. Tambe, Addl.G.P. for the Respondent Nos. 1 and 2.
Shri M. D. Narwadkar, Advocate for the Respondent No. 3.
Shri Deepak S. Manorkar, Advocate for the Respondent No. 4
through VC.

**CORAM : S. G. MEHARE AND
SHAILESH P. BRAHME, JJ.
DATE : 27TH JANUARY, 2025.**

ORDER :

. Heard both sides finally at the admission stage considering the exigency in the matter.

2. The petitioner is seeking direction to the respondents to provide access to its proposal to enable the petitioner institution to upload the registration of the admitted students.

3. The petitioner was permitted to start GNM course by the Government Resolution dated 01.08.2024. It was permitted to admit 40 students for the year 2024-2025. Accordingly, the

students were admitted and when the petitioner tried to access the portal for registration of the students, it was denied.

4. The respondent No. 3/Board has filed affidavit in reply and explained that students were tried to be registered on portal after the cut off date. It has been narrated in the reply that initial cut off date was 01.09.2024 and it was being continuously extended and the last cut off date was 30.11.2024. As the petitioner failed to follow the timeline, the respondent No. 3/Board did not permit access the portal and the portal was not opened. It is further submitted by the learned counsel for the respondent No. 3 that Board was being supervise by the respondent No. 4/Nursing Council. Under the instructions of the nursing council, the access has been denied.

5. The learned counsel for the petitioner submits that, for the first time petitioner admitted 40 students for the year 2024-2025. There were technical hitch and without there being any fault on the part of the petitioner, the access was denied to the portal. He would further submit that the petitioner is having data of admission including the attendance of the students concerned. It is submitted that all the admissions have been made in accordance with law and the academic career of the students would be at a stake.

6. The learned counsel for the respondent No. 4 submits that the respondent No. 3/board has to verify the data and then

forward the proposal of the admitted students to the respondent No. 4/Council. After receiving the proposal, the council is ready to examine the proposal and take decision regarding the access to the online portal to the petitioner.

7. We find that this is not an adversarial litigation. It reveals that petitioner was permitted to start the GNM course for the first time in the year 2024-2025. It has already admitted 40 students. Whether the admission is in accordance with law or whether there was any flaw in the admission can be ascertained by the respondent No. 3/authority. However, we find that considering the fact that educational career of 40 students is at a stake, in the interest of justice, the petitioner would be permitted to submit the data to the respondent No. 3/Board. The board shall verify the data and forward the same to the respondent No. 4. The respondent No. 4 after examining the proposal should take decision regarding permission to be granted to the petitioner for access to the online portal, we therefore pass following order.

O R D E R

(I) The writ petition is partly allowed.

(II) The petitioner shall forward the proposal including data of admission and the relevant documents to the respondent No. 3/Board within one (01) week from today.

(III) After receiving the proposal, the respondent No. 3/Board shall scrutinize the same and further forward it to the respondent No. 4/Council, within two (02) weeks thereafter.

(IV) The respondent No. 4/council shall take the decision on the proposal regarding opening of the portal for enrollment of the students on its merit within a period of one week thereafter. The respondent No. 4 shall communicate the decision to the petitioner and other respondents.

[SHAILESH P. BRAHME J.]

[S. G. MEHARE, J.]

bsb/Jan. 25