

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1314 OF 2025**

Shree Sant Shiromani Namadev
Maharaj Charitable Trust's Sahara
Institute of Nursing Education & Ors. ... Petitioners

V/s.
Maharashtra University of
Health Science & Ors. ... Respondents

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Mr. Kishor Patil i/b Mr. Sandeep Koregave for the Petitioners.
Mr. Sachindra B. Shetye a/w. Mr. Akshay Pansare and Mr. Nipun
Sawane for the Respondent No.1-MUHS.
Ms Rupali Shinde, AGP for the Respondent No.2/State.
Mr. Nagesh Chavan for Respondent No.3.

**CORAM : M.S. KARNIK &
N.R. BORKAR, J.J.
DATE : 8th AUGUST, 2025.**

P.C.

1. Heard learned counsel for the petitioners, learned counsel for the respondent No.1/MUHS, learned counsel for respondent No.3 and learned AGP for Respondent No.2/State .

2. Learned counsel for the petitioners submitted that the petitioner No.2 - Institute run by the petitioner No.1 - Trust for Nursing Courses has been functioning since the academic year 2014-2015. The recognition was cancelled by the respondent No.1-Maharashtra University of Health Sciences ("MUHS" for short) under Section 73 of the Maharashtra University of Health Sciences Act, 1998 on the ground that there are deficiencies which are listed in the order.

3. Shri. Shetye, learned counsel for the respondent No.1- MUHS, submitted that there were two surprise inspections carried out on 28th November 2022 and 15th June 2023, based on which, the impugned order of cancellation was passed. Shri. Shetye submits that this is another attempt on the part of the petitioners to submit that they have complied with the deficiencies.

4. Shri. Kishor Patil, learned counsel for the petitioners, invited our attention to the communication dated 26th August 2023, which is annexed as Exhibit-"AB" at page No.263 of the paper book issued by petitioner No.2 - Institute, indicating that the deficiencies have been complied with. Shri. Patil submits that the compliance letter dated 26th August 2023 was forwarded to the respondent No.1 - MUHS after the surprise inspections were carried out and this aspect has not been considered by the respondent No.1 - MUHS before passing the order impugned.

5. Admittedly, since 13th October 2023, the Nursing College is not functioning and the students have been transferred to other other institutions. At this stage, if the petitioners wish to seek fresh recognition and resume the Nursing Courses, they must follow the due procedure as prescribed under the MUHS Act by submitting an application for the ensuing academic year.

5. Since Shri. Patil submits that all the deficiencies have been cured by the petitioners during the intervening period, we find it appropriate to direct the respondent No.1 - MUHS to conduct an inspection of the institution's premises to verify the existing infrastructure and facilities. If any deficiencies are found, the respondent No.1 - MUHS may communicate the same to the petitioners. The inspection be carried out within 10 weeks from today. Based on the outcome of the inspection report, the petitioners may make a fresh application for recognition for the ensuing academic year. The inspection report be communicated to the petitioners.

6. The Petition is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)