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HEMANT
CHANDERSEN SHIV

H.C. SHIV

Date: 2025.08.26
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11411 OF 2025

Vaishnavi Vinod Adgale ...Petitioner

Versus

State of Maharashtra
Through its Department of Medical
Education and Drugs ...Respondents

WITH

WRIT PETITION NO. 11412 OF 2025

Rangoli Sagar Gaikwad ...Petitioner

Versus

State of Maharashtra
Through its Department of Medical
Education and Drugs ...Respondents

WITH

WRIT PETITION NO. 11409 OF 2025

Tanuja Prashant Gahukar & Ors. ...Petitioners

Versus

State of Maharashtra
Through its Department of Medical
Education and Drugs ...Respondents

WITH

WRIT PETITION (L) NO. 29066 OF 2025

Vaishali Gautamrao Sardar & Ors. ...Petitioners

Versus

State of Maharashtra
Through its Department of Medical
Education and Drugs ...Respondents

Mr Pratik B. Rahade, for the Petitioners.
Ms Reena A. Salunkhe, AGP for the Respondent No.1-State.
Mr Ajit Hon, for the Respondent No.4.

**CORAM: SUMAN SHYAM &
SHYAM C. CHANDAK, JJ.**

DATED: 25th AUGUST 2025.

PC:-

1. The Petitioners in above four Writ Petitions have approached this Court being aggrieved by the notification dated 24th February, 2025 issued by the Indian Nursing Council- Respondent No. 3 providing that unless the subjects indicated by the Council are offered by students in their (10 + 2) course they would not be entitle to participate and/or pursue the ANM and GNM course. Pursuant to the notification dated 24th February, 2025 the college authority had also issued a direction and canceled all admissions granted to the non complaint students pursuing ANM and GNM course. Contending that after the admissions were granted to the Petitioners in the month of August 2024 and after they have completed one year in the course, such instructions and directions could not have been issued by the Authority that too with retrospective effect, thus, jeopardising the career of the Petitioners.

2. While inviting the attention this Court to the order dated 29th July, 2025 passed by a Co-ordinate Bench (Coram : M. S. Karnik and N. R. Borkar, JJ.) in Writ Petition No. 5697 of 2025 and batch of connected similar Writ Petitions. Mr. Rahade, learned

Counsel for the Petitioners has prayed for a similar interim order of protection by arguing that unless the interest of his clients is protected by an order of this Court, they would not be allowed to fill in the form for participating in examination for promotion from the First Year, to Second Term for which, the last date is 2nd September, 2025.

3. Although the allegations are basically against the Respondent Nos. 2 and 3, the said Respondents have not appeared when the matter is called out. By the order dated 29th July, 2025 a Co-ordinate Bench of this Court had considered similar grievance expressed by similarly situated candidates pursuing GNM course and has passed the following directions :-

“8. Accordingly, the petitioners are allowed to appear for the examination which are scheduled to commence from 07/08/2025 and attend the classes. It is however made clear that the results shall not be declared and the continuation of the Course of the petitioners is subject to the outcome of this petition. The Petitioners shall not claim any equity in the event we find that the petition deserves to be dismissed after considering the stand of INC.

9. Issue notice to the INC, returnable on 20/08/2025. In addition to the Court notice, private notice is permitted.

10. It is made clear that in the event the petition succeeds, this Court may be inclined to impose heavy cost on respondent no. 3-College as prima facie we find the

respondent no. 3 is responsible for the predicament of the petitioners.

11. The respondent no. 3-College to do the needful and inform respondent no.2 to generate PNR which is without prejudice to the rights and contentions.”

4. Having regard to the peculiar facts and circumstances of the case, we see no valid reason as to why, similar orders should not be passed by this Court in case of the present Petitioners as well. Ordered accordingly.

5. The Petitioners in the aforestated Writ Petitions are granted interim relief in terms of paragraphs (8) to (11) of the order dated 29th July, 2025, as noted above.

6. Stand over to 3rd October, 2025.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)