



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 117/2023

Zeenat Nasim Akhtar and others Vs. Maharashtra University of Health Sciences, Through its Registrar and others

WITH

WRIT PETITION NO. 7034/2022

Dr. Samuel Hahnemann Charitable Medical Aids & Social Health Welfare Society and another Vs. Union of India, Ministry of Ayurvedic Yoga & Naturopathy and others

WITH

WRIT PETITION NO. 8421/2023

Diwan Farheen Gazal Shaikh and others Vs. Maharashtra University of Health Sciences and others

WITH

WRIT PETITION NO. 6554/2024

Amruta D/o Rajendra Ganorkar and others Vs. Maharashtra University of Health Sciences and others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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WP No. 117/2023, 8421/2023, 6554/2024

Mr. G.L. Agrawal, Advocate for Petitioners

Mr. Abhijit Deshpande, Advocate for Respondent No.1

Mr. N.R. Saboo, Advocate for Respondent Nos.2 and 3

WP No. 7034/2022

Mr. N.R. Saboo, Advocate for Petitioners

Mr. N.S. Deshpande, DSGI for Respondent Nos.1 and 2

Mr. Abhijeet Deshpande, Advocate for Respondent No.3

**CORAM: AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.**

DATED : 24th MARCH, 2025

Writ Petition Nos.117/2023, 8421/2023 & 6554/2024

1. All these three petitions are by the students, claiming transfer from the respondent No.

3 - Institution to the other Institutions either for the purpose of completing their courses by availing the terms / chances available to them, for clearing the examination in terms of the statute and policies applicable, on account of the fact that and those students who have cleared the final examination require the transfer for the purpose of completing internship as respondent No. 3 - Institution has been directed to be closed permanently by respondent No. 1 - University. Mr. Deshpande, learned counsel for the respondent No. 1 has placed on record affidavit in Writ Petition No. No. 8421/2023 in which the following statement has been made.

“3. It is, respectfully submitted that, since the Students / Petitioners are continuing their studies in Respondent No.3 College pursuant to Interim Order dated 18/11/2022 passed in Writ Petition No. 7034/2022, Respondent No. 1 – University would transfer the present Petitioners so also the Petitioners in Writ Petition No. 113/2023, who also are students of Respondent No. 3 College, by following due procedure, if permission for such transfer is granted by this Hon’ble Court.

4. Similarly, keeping in mind the interest of Students who are continuing their studies in Respondent No.3 College pursuant to Interim Order dated 18/11/2022 passed in Writ Petition No. 7034/2022 and are governed by Circular

No. 104/2022, issued by the University on 09/11/2022 but have not approached this Hon'ble Court for their transfer / have not yet opted for transfer / opted for transfer but have not joined the transferee Colleges till date, the University would undertake onetime transfer exercise for such Students along with the Petitioners, if permitted by this Hon'ble Court.”

2. In terms of the aforesaid statement, we dispose off these petitions, by directing all the petitioners / students, who are currently taking their education with the respondent No. 3 in any year or those who have completed final year and are seeking internship, to exercise their options with the respondent No. 1 of being granted admission in any of the colleges as indicated in Annexure-A to the affidavit dated 05.03.2025 of the respondent No. 1, in either of the years to which they are entitled to, or the internship as the case may be. The dispute regarding the entitlement of the management regarding outstanding fees is already the subject matter before the Fee Regulating Authority and the petitioners in these petitions agree to abide by the decision of the Fee Regulating Authority, in view of which, the respondent No. 3, shall grant an NOC for transfer of the petitioners to the respective colleges of their choice as indicated by them. The petitioners

- students shall approach the respondent No.1 on 28.03.2025 and by filling in the form for that purpose indicate their choice in writing, of the college to which they wish to be transferred. Such applications shall be entertained by the respondent No. 1 based upon the xerox documents, which would be so required to be annexed with the said application for transfer subject to the undertaking by the students that the original of these documents shall be provided within a week from its receipt from the respondent No. 3. The respondent No.1, shall ensure the transfer is complete in all respects as there is no dispute that there are vacancies available in the colleges indicated in Annexure-A and the respondent No. 1 can enforce such transfer. In case any original documents are with the respondent No.3 - Institution, the same shall be returned back to the respective students on a demand in writing be made by such students in Institution within a period one week from the date on which such application is made. All these petitions are disposed off in the above terms. No costs.

Writ Petition No. 7034/2022.

1. The petition challenges the order dated 17.10.2022 (page 204), passed by the respondent No.3 directing permanent disaffiliation from

academic year 2022-23 onwards of the petitioner - Institution. From time to time, this Court by interim orders had protected the interest of the students and it is stated at bar that number of students have cleared the final examination. Mr. Saboo, learned counsel for the petitioners, upon instructions, makes a statement that only 11 students are remaining, who have already exhausted their terms and are no longer eligible for appearing in examination, on account of which, in view of the orders passed today in Writ Petition Nos. 117/2023, 8421/2023 & 6554/2024, permitting transfers of the students, who are yet to avail of the terms and also in respect of students, who have cleared final examination for the purpose of completing their internship, he does not want to press the challenge in the present petition. In view of the above submissions, the petition is dismissed as not pressed. No costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)