



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

WRIT PETITION NO. 786 OF 2024

(Dhairshil Shikshan Sanstha vs. State of Maharashtra and others)

*Office Notes, Office Memorandum of Coram,
 appearances, Court's orders of directions
 and Registrar's orders.*

Court's or Judge's order

Mr. J.B.Gandhi, Advocate for the petitioner.
 Mr. D.P.Thakre, Additional Government Pleader for the respondent No.1.
 Mr. Tejas Kene, Advocate for respondent No.2.
 Mr. Yash Venkatraman, Advocate for respondent No.3

CORAM : BHARATI DANGRE AND ABHAY J. MANTRI, JJ.

DATE : SEPTEMBER 30, 2024

This is a typical case where, we find that the technology, which is expected to make things easier have in fact resulted in somehow complicated situation.

The petitioner College though admitted the students to course of Auxiliary Nurse and Midwife (ANM) for the academic session 2023-2024 before the original cut off date i.e. 31/10/2023, but failed to upload the list of the students and this has put them in a precarious situation.

2) Along with this petition, we have a list of 20 students, who are admitted in terms of the intake capacity of the petitioner College during the academic session 2023-2024 and an e-mail was also forwarded about enrolling the students for batch 2023-2024 to the respondent Authorities. Due to not uploading the list despite the fact that the cut off date was extended till 30/11/2023, the students admitted by the petitioner College did not receive the required registration from the respondent No.2 Maharashtra State Board of Nursing and

Paramedical Education and by communication dated 11/01/2024 the petitioner College was informed that since the students admitted by Radhika Nursing School were not registered, their documents cannot be verified.

3) We quite see the predicament of the students, who are made to suffer because of the lapse on the part of the petitioner College.

The learned Counsel appearing for the petitioner, based on the pleadings in the petition, has submitted before us that during the relevant period, the Principal of the College was unavailable and the Tutor working in the College was entrusted with this responsibility to ensure the follow up of the necessary procedure and admittedly, she faulted, as a result of which the appearance of the College from the website of respondent No.2 was conspicuously erased.

4) Since we are of the firm opinion that technology can aid process, but it definitely will not take away the rights of any Institution or candidate merely on the ground that the names of the students are not uploaded, though they are admitted prior to the cut off date and hence, we permit the petitioner to approach the respondent No.2 with all the necessary documents/ proof depicting that the 20 students which are admitted in the academic session 2023-2024, had been duly admitted before the cut off and subject to the verification of this aspect, the respondent No.2 shall physically verify the documents of the students and permit their registration physically, as we are told that the window for registration is now closed, for the academic session 2023-2024.

- 5) We expect that the respondent No.2 shall carry out such exercise within a period of two weeks from today. We also expect that the petitioner and respondent No.2 to act with utmost expediency as we are informed that the examination for the ANM Course is likely to be commenced from 05/11/2024.
- 6) The Petition stands disposed of with the aforesaid direction.
- 7) Authenticated copy of this order be provided to the learned Counsel for the parties.

(ABHAY J. MANTRI, J.)

(BHARATI DANGRE, J.)

KOLHE