

**THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

**W.P. Nos.1080/2022, 5841/2022, 16851/2022, 20438/2021, 15750/2023,
22164/2023, 27046/2022, 8737/2022, 3165/2022, 28337/2021,
28338/2021, 14935/2022, 8210/2024, 11703/2024, 15600/2024,
15596/2024, 19817/2024 & R.P.No.339/2024.**

Dated : 29.07.2024

Shri Alok Vagrecha – Advocate, Shri Naman Nagrath – Senior Advocate with Shri Jubin Prasad, Advocate, Shri Rahul Diwaker, Advocate, Shri Amalpushp Shroti – Advocate, Shri Sankalp Kochar – Advocate, Shri Praveen Dubey Advocate and Shri Satyam Agrawal – Advocate for the respective petitioners.

Shri Prashant Singh – Advocate General and Shri Bharat Singh – Additional Advocate General and Shri Abhijeet Awasthi – Advocate for the respondents-State.

Shri Mohan Sausarkar – Advocate for the Indian Nursing Council.

Shri Sudhir Kumar Sharma – Advocate for the Central Bureau of Investigation.

Shri Bhoopesh Tiwari, Advocate, Shri Satyam Agrawal – Advocate, Ms Varidhi Pathak Advocate, Shri D.K. Bilaiya, Advocate, Shri Rahul Deshmukh, Advocate for the interveners.

Notably, the status reports dated 27.06.2024 and 03.07.2024 sent by the committee through the Registrar General of this court, have been perused by us. Since these reports are the consequence of non-judicial orders passed by us earlier, therefore, they are not part of the record of these cases, but they are well within our knowledge and are keeping us abreast with the action taken by the committee time to time.

I.A.Nos.9789/2024, 10526/2024 and 11404/2024 in W.P.no.1080/2022 have been filed for seeking a direction to the Nursing Council / MPMSU for opening the Portal so that the students intending to appear in the examination which is scheduled in near future can be enrolled.

In view of the above request, Shri Awasthi is directed to instruct the respective respondent for opening the Portal so as to make convenient for the intending students to appear in the examination for the Sessions 2021-22 and 2022-23. Applications are disposed of.

I.A.No.8451/2024 filed in W.P. No.1080/2022 is **rejected** for the reason that the intervener has separate entity with regard to status report as submitted by the CBI. If they want any order from this court, they should file fresh petition.

I.A.No.7622/2024 – the grievance shown by the intervener in this application has already been redressed and such a relief has already been granted by this Court and therefore no further or fresh order is required to be passed. Application is rejected.

I.A.No.1076/2024 has been filed pointing out that the Administrator was appointed as stop-gap-arrangement considering the-then circumstances by the Court vide order dated 23.08.2022 subject to further order of the court. Now, it is pointed out that the Registrar has been appointed as per the qualification prescribed under the rules and as such post of Administrator has become redundant and the officer appointed as Administrator shall be released and the Administrator be removed from the Council.

Shri Prashant Singh, Advocate General submits that they willing to take decision about the post of Administrator but a petition is pending challenging the appointment of the Registrar and if it is decided

in favour of the Registrar then appropriate action for removal of Administrator shall be taken.

This issue shall be resolved on the next date of hearing.

I.A.No.7625/2024 filed in W.P.No.1080/2022 – Shri Nagrath, Senior Advocate submits that the intervener-college has been inspected by the CBI on 28.04.2023, but astoundingly in the report, the name of intervener-college is missing and no categorisation has been made about it.

In the circumstance, learned counsel for the CBI is directed to seek instruction and apprise this court as to why the intervener-college has been left uncategorised in the report of CBI.

I.A.No.10775/2024 – this application has been moved by the learned counsel for the petitioner requesting therein that in pursuance to the order dated 22.02.2024 the suited colleges as per the report submitted by CBI have been given various privileges, but after taking note of subsequent events, the report of CBI came under the clouds of suspicion and therefore further inspection of suited college has been ordered by the court and thus he submits that the colleges which have been considered to be suited college in the order dated 22.02.2024 of this court shall be treated to be suited colleges subject to further verification and according to new report of CBI, they shall be given appropriate status.

Order dated 22.02.2024 is accordingly modified to the above extent. Application is disposed of.

I.A.No.7652/2024 – by this application filed on behalf of interveners, Shri Siddharth Shrivastava, Advocate points out that they are the students of a government college and that college was declared unsuited, but earlier order does not provide that the students of such

college should be admitted in any other suited college. Therefore, the order may be modified to that extent.

In view of the above, the committee is directed to make necessary arrangement of the students of this government college, which had been declared unsuited, for shifting them to another government colleges. Application is disposed of.

List these matters analogously in the **next week**. To be taken up on Board at **2.30 p.m.**

Ordered accordingly.

(SANJAY DWIVEDI)
JUDGE

(ACHAL KUMAR PALIWAL)
JUDGE

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