

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

WP No. 1080 of 2022

(LAW STUDENTS ASSOCIATION Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Dated : 08-04-2025

Shri Vishal Baghel – Petitioner in person.

*Shri Abhijeet Awasthi – Deputy Advocate General for the respondent-State/
MPNRC-MPMSU.*

Shri Sankalp Kochar – Advocate appearing for the intervenor.

Learned counsel for the intervenors has moved I.A. No.5919/2025 on behalf of the students claiming that they have already been admitted by the colleges, namely, Ishwar Nursing College, Datia and Meera Devi College of Nursing, Shivpuri. He submits that though recognition for session 2022-23 has been rejected by the authority but the students of each and every college which have been declared to be unsuited college, have been accommodated and they have been allowed to participate in the examination for session 2022-23 for subjects- GNM and B.Sc. He further submits that the colleges were inspected by the Committee constituted in pursuance of the order of this Court passed on 24.01.2022, although that report of the Committee was assailed and Division Bench has also observed that the report is not proper and challenge to that report is still existing in the present petition. He submits that under these circumstances, even though no recognition was granted in favour of the colleges in which the students who are intervenors before this Court, were admitted, they cannot be denied the protection and relief which has been granted to the other similarly situated students, who were admitted in the colleges to which recognition has been refused.

Learned counsel for the intervenors further submits that in the existing circumstances, when other similarly situated students have been protected by this Court and allowed to participate in the examination for session 2022-23 which is to be scheduled w.e.f.15.04.2025, there is no reason for not granting the same benefit to the intervenors.

Learned Deputy Advocate General for the respondents-State opposes the submissions of learned counsel for the intervenors and submits that the intervenors are the students of colleges which have not been granted any recognition and their recognition has been rejected. He submits that the intervenors cannot claim any parity with the students of other colleges which have been declared unsuited after getting the colleges inspected. He

submits that here in this case, the colleges in which the intervenors took admission, have never been inspected and their recognition has been rejected, therefore, the intervenors who are the students of these colleges cannot be allowed to participate. According to him, if permission is granted to the students of these colleges, it would amount to opening a flood gate and number of students illegally admitted by the colleges, may come forward before this Court and claim the same relief, if any, is granted in favour of the intervenors.

Learned Deputy Advocate General for the respondents-State further submits that this Court on 28.03.2025 had passed an order directing the respondents to enroll the students of colleges which have been inspected by the CBI and during the course of inspection, they have submitted the list of admitted students. This Court had directed that only those students should be enrolled whose names have been placed before the CBI at the time of inspection. He further submits that the said exercise is being carried-out but it will take time and the examination is scheduled for 15.04.2025, therefore, he submits that it is virtually impossible to complete the said exercise within such period, as such, the respondents are seeking further time to complete the aforesaid exercise.

In view of the above request, the respondents are granted further 15 days' time to complete the exercise and conduct the examination. It is made clear, in any case, the date of examination shall not be extended from 05.05.2025.

Considering the submissions made by learned counsel for the parties and perusal of record, since the examination of session 2022-23 is scheduled w.e.f.15.04.2025, although upon the request of learned counsel for the respondents, that is extended for a period of 15 days and the respondents are directed to conduct the examination at the most w.e.f. 05.05.2025.

In the existing circumstances, each and every day for challenging the action of the authority so as to consider the interest of colleges and also of the students, carries importance because the process of recognition, enrollment of students and conducting examination, is to be completed within the scheduled time. The recognition of colleges, in which, intervenors have been admitted, has been rejected somewhere in the month of January, 2023, but the colleges have not challenged the said order of authority rejecting the recognition and now at the verge of completing the exercise of enrollment of students, when examination is already scheduled, the grievance raised by the intervenors, apparently suffers from delay and laches. As submitted by learned counsel for the respondents, not only the colleges of intervenors but there are other colleges which have admitted the

students illegally despite the fact that no recognition was granted to them. As per the procedure prescribed, the admissions are allowed only after granting recognition but any admission without recognition cannot be considered to be genuine and it is otherwise illegal. We have not provided any protection to the students who were admitted illegally in the colleges having no recognition. Thus, at this stage, we are not inclined to entertain the request of the intervenors because if it is done, then other students may also come forward, which would amount to opening a flood gate and it is not possible looking to the schedule or proceedings which are to be carried-out step-by-step and granting recognition to the students may also create possibility for extending the examination further, which we do not think proper. The application for intervention and the relief claimed therein, in our opinion, suffers from delay and laches.

Accordingly, I.A. No.5919/2025 stands rejected.

List this petition **on 25.04.2025** at 10:30 a.m. along with connected petitions.

(SANJAY DWIVEDI)
JUDGE

(ACHAL KUMAR PALIWAL)
JUDGE

Prachi