

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 : 09-05-2025

Shri Alok Vaghrecha - Advocate with petitioner Vishal Singh Baghel.

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

Shri Mohan Sausarkar - Advocate for the INC.

Shri Sudhir Kumar Sharma - Advocate for the CBI.

Learned counsel for the petitioners have moved IA Nos. 8250/2025 and 8251/2025, which are applications seeking initiation of contempt proceedings against the authorities as they have not complied the orders dated 13.03.2025, 18.03.2025 and 04.04.2025 and flouted the same.

Learned counsel for the petitioners have submitted that this petition has been filed against the irregularities committed by the respondents authorities while granting recognition to almost 600-700 colleges for the session 2020-21, but despite the orders passed by this Court, the documents have been supplied by the respondent-M.P. Nursing Council relating to only 44 colleges and therefore, proper report cannot be submitted by them.

We have noticed that the respondents organizations are not cooperating with the Court and it reveals that they are some how trying to hide the things so that the illegalities alleged to have been committed by them could not be brought before the Court. When the Court has already taken cognizance in the matter and directed the CBI to conduct an enquiry and the matters are being monitored by this Court since last almost three years and they are at the verge of final disposal, we cannot permit the respondents organizations to behave in such a manner and to flout the orders passed by this Court passed in furtherance to an attempt to unveil the illegalities. Thus, we find it proper to direct that the competent authorities of

the respondents organizations i.e. Director and the Registrar of the M.P. Nursing Council and the Secretary, Indian Nursing Council shall remain present before this Court to explain as to why they have not complied the orders passed by this Court and supplied the relevant documents to Office of the Advocate General. However, it is made clear that no application for exemption from personal appearance before this Court shall be entertained by this Court. The Principal Secretary, Public Health and Medical Education of the State is directed to ensure presence of the Director and the Registrar of the M.P. Nursing council before this Court on the given date.

Learned counsel for the petitioners have also filed IA No. 7208/2025 seeking appropriate direction for shifting of the students.

Learned counsel for the petitioners have submitted that the High Level Committee constituted by this Court has issued an order for shifting of students of unsuited colleges to the other suited colleges without considering the choice of the students and no transparency is being followed. According to them, the Nodal Officer has committed certain illegalities therein and therefore, proper method may be directed to be adopted so as to shift the students as per their own choice.

Considering the aforesaid, we are of the opinion that the High Level Committee has already performed its job and therefore, their role in the present matter is now no more required. The Committee is, therefore, directed to convene their final meeting and submit report before this Court on or before 31st May, 2025.

At the same time, M.P. Nursing Council is also directed to prepare the list of students who are to be shifted from unsuited colleges to suited colleges considering the available vacancies of the colleges and invite choice of the students and accordingly shifting be made. It is further made clear that the Nodal Officer already acted on behalf of the High Level Committee shall be kept away from this proceeding so as to avoid any further illegality in the process of shifting. This direction is being issued only to consider the comfort of the students and to make the shifting process easy so that the

students may not suffer and also not face any difficulty in prosecuting their study.

IA No. 7208/2025 is accordingly disposed of.

It is further directed that the M.P. Nursing Council shall ensure payment of remuneration to the members of the Committee as that Committee constituted and acted as per the direction of this Court. If it is found that payment has not been made to them then appropriate action shall be taken against the M.P. Nursing Council. It is further directed that the Principal Secretary, Health of the State shall ensure payment of remuneration to the members of the Committee.

Shri Awasthy appearing on behalf of the M.P. Nursing Council has requested this Court that the Council is facing financial implications and this liability can be shared with the unsuited colleges and, therefore, some extra time may be granted to them so as to make payment of remuneration to the Committee. We are not convince with the submission made by Shri Awasthy because, as has been pointed, the bank guarantee submitted by the unsuited colleges was not required to have been refunded but the Council has refunded the same without any authority whereas that money could be utilized for payment of remuneration to the High Level Committee. The M.P. Nursing Council is also directed to explain as to under what authority they have refunded the bank guarantee submitted by the colleges and why they have done so.

IA No. 8231/2025 seeking appropriate direction to declare the result is also being disposed of directing M.P. Nursing Council to expedite the proceeding and declare the final result. It is expected from the MP. Nursing Council that they will declare the result soon so that the students may apply for the vacancy published in the State of Bihar for the post of Staff Nurse.

List the matter on 20.06.2025 alongwith other connected matters.

(SANJAY DWIVEDI)
JUDGE

(ACHAL KUMAR PALIWAL)
JUDGE

