

ITEM NO.19+26+27

COURT NO.2

SECTION IV-C

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 4557/2023

(Arising out of impugned final judgment and order dated 10-02-2023  
in WP No. 3513/2023 passed by the High Court Of M.p At Gwalior)

GURUBAKSH SINGH KALYAN SAMITI

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.45987/2023-EXEMPTION FROM FILING  
C/C OF THE IMPUGNED JUDGMENT and IA No.45988/2023-EXEMPTION FROM  
FILING O.T. )

WITH

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 8768/2023  
([TO BE TAKEN UP ALONG WITH ITEM NO. 19 I.E. SLP(C) No.  
4557/2023].....FOR ADMISSION and I.R. and IA No.55426/2023-  
CONDONATION OF DELAY IN FILING and IA No.55429/2023-EXEMPTION FROM  
FILING C/C OF THE IMPUGNED JUDGMENT and IA No.55430/2023-EXEMPTION  
FROM FILING O.T. )

Petition(s) for Special Leave to Appeal (C) No(s). 4903/2023  
([TO BE TAKEN UP ALONG WITH ITEM NO. 19 I.E. SLP(C) No.  
4557/2023].....FOR ADMISSION and I.R. and IA No.50938/2023-  
EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA  
No.50939/2023-EXEMPTION FROM FILING O.T. )

WITH

SLP(C) No. 5241/2023 (IV-C)  
(FOR ADMISSION and I.R. and IA No.54798/2023-EXEMPTION FROM FILING  
C/C OF THE IMPUGNED JUDGMENT and IA No.54799/2023-EXEMPTION FROM  
FILING O.T.)

SLP(C) No. 5079/2023 (IV-C)  
(FOR ADMISSION and I.R. and IA No.52035/2023-EXEMPTION FROM FILING  
C/C OF THE IMPUGNED JUDGMENT and IA No.52036/2023-EXEMPTION FROM  
FILING O.T.)

Date : 20-03-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH  
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Mr. Rahul Kaushik, Adv.  
Ms. Bhuvneshwari Pathak, AOR  
Ms. Shilpi Satyapriya Satyam, Adv.  
Mr. Dhanesh Kumar, Adv.

Mr. Parthiv Goswami, Sr. Adv.  
Mr. Ravi Kant, Adv.  
Mr. Mayank Manish, Adv.  
Mr. Vivek Singh, Adv.  
Mr. C.p Rajwar, Adv.  
Ms. Somi Sharma, Adv.  
Mr. Chandra Prakash, AOR

For Respondent(s) Mr. Varun Punia, AOR  
Mr. Jasbir Singh Malik, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Applications seeking exemption from filing C/C of the impugned judgment and exemption from filing O.T. are allowed.

On hearing learned counsel for the petitioner, we find that the plea of the petitioner is predicated on a basis that the petitioner has been recognized for getting government beds since the year 2006 onwards and the same benefit has been extended even for 2022-2023. The only year for which the government beds are not given was 2021-2022 for which, according to the petitioner, the starting date of registration was 10.2.2021. He submits that the inspection was done only in April, 2022 and since he had earlier got government beds, there was no reason to suspect that the

benefit would not be available for the year in question.

We would call upon the petitioner to submit a chart showing how the process of admission takes place i.e. the date of admission, the date of inspection, the certification for the past years and when the Govt. hospital beds were allotted. The affidavit along with chart be filed within a week.

Subject to the aforesaid, we would also like to know from the M.P. Nurses Registration Council (respondent No.3) as to how the matter has proceeded earlier and why no recognition was given for the year in question as it is the case of the petitioner that on inspection in April, 2022, everything was found in order.

The petitioner also relies on the notification of Office of the Commissioner, Medical Education Department dated 04.12.2018 (Annexure P-5) to contend that insofar as the private nursing institutions are concerned, having their own hospitals of 100 beds preference will be given to the older societies.

It is his submission that the students who have been admitted would suffer if the impugned order is sustained.

Issue notice returnable on 27.3.2023.

Dasti, in addition, through standing counsel.

A copy of the order to accompany the notice.

SLP (C) Diary No(s). 8768/2023, SLP (C) No.4903/2023, SLP(C) No. 5241/2023 & SLP(C) No. 5079/2023

Delay condoned.

Applications seeking exemption from filing C/C of the impugned

judgment and exemption from filing O.T. are allowed.

Issue notice for the reasons set out in the Special Leave  
Petition (C) No.4557/2023 dated 20.3.2023.

Tag with Special Leave Petition (C) No.4557/2023

(RASHMI DHYANI PANT)  
COURT MASTER

(POONAM VAID)  
COURT MASTER