

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 : 21-08-2025

*Shri Alok Vagrecha - and Shri Vishal Baghel Advocates for the  
petitioner.*

*Shri Abhijeet Awasthi Dy. Advocate General for respondent State.*

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Heard on I.A No. 15951/2025, which is an application for issuance of appropriate direction for clarification of order dated 09.05.2025.

Before coming to the order dated 09.05.2025, it would be essential to refer to an order dated 28.03.2025 whereby for the first time, this Court had passed an order in regard to rehabilitating the students of the unsuited colleges to the suitable colleges. The order dated 28.03.2025 was passed with a direction to the respondents to accommodate the students of unsuited colleges as a lot of time has passed and no action was being taken in order to rehabilitate these students and a time limit of one month was fixed from the date of the order. However, learned counsel for the petitioner submits that when they had started acting with direction as suggested by this Court, certain allegations were levelled that the Nursing Council of the State was indulging in sharp practice and, were for a consideration from private Nursing Colleges, seeking to adjust the students there. It is in that backdrop, the order dated 09.05.2025 was passed by this Court where this Court had directed the M.P. Nursing Council to prepare a list of students who are to be shifted from unsuited colleges to suitable colleges considering the

vacancies available. In that order it was also made clear that the Nodal Officer who acted on behalf of the High Level Committee, shall be kept away from the proceedings, so as to avoid any further illegality in the process of shifting. Thereafter, the present interlocutory application has been filed whereby, at page No. 5, as per Schedule 1, the learned counsel for the Nursing Council has stated that as far as students of B.Sc. (Nursing), P.W.D. SC (Nursing) and M.S.P (Nursing) are concerned, can be shifted immediately to suitable colleges from unsuitable, provided Rule 9 (3) of the Rules of 2018 is relaxed. Rule 9 (3) of the Rules of 2018 provides that where any student had to be shifted on account of excessive admissions being granted, the same may be done within the same district itself. Learned counsel for the Nursing Council submits that this order is coming in the way because if it is to be complied with, it would not be possible to find the adequate number of vacancies for the students to be shifted from the unsuited to the suitable colleges. He has further submitted that if this Rule is relaxed, then all students of the aforementioned courses can be shifted immediately. He furthermore stated that students who are sought to be shifted will be given the preference of a college of their choice for shifting, subject, of course, to the fact that number of students claiming adjustment in one particular college does not exceed the number of available seats in that college. The need to carry out this adjustment has been necessitated on account of the fact that out of 800 colleges in which admissions were given only 200 were found suitable as stated by the learned counsel for the petitioner and not denied by the learned counsel for M.P. Nursing Council.

Under the circumstances, in the exigency of present situation this Court considers necessary to relax the rigors of Rule 9 (3) of the Rules of 2018 and permit the Nursing Council to adjust the students from the unsuited colleges to the suitable ones beyond the precincts of their districts.

With the above the present application (I.A No. 15951/2025) stands disposed of.

As regards the candidates who are undergoing studies from G.N.M Course, their status shall be decided separately on the next date of hearing.

In view of order passed today with regard to the allocation of suitable colleges to those who are studying in unsuited colleges, I.A No. 14705/2025, which is an application for initiation of contempt proceedings against Registrar of M.P.N.R.C for his alleged disobedience of orders dated 28.03.2025 and 09.05.2025 has lost its relevance. The same is disposed of.

List this case on 26/08/2025.

(ATUL SREEDHARAN)  
JUDGE

(PRADEEP MITTAL)  
JUDGE

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