

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 11256/2025

Vijay Yadav S/o Bhagchand Yadav & Ors.

-----Petitioners

Versus

1. The State Of Rajasthan, Through Its Principle Secretary, Medical And Health Department, Govt. Secretariat, Jaipur, Rajasthan.
2. Rajasthan Nursing Council, Through Its Registrar, B-39 Sardar Patel Marg, C-Scheme, Jaipur, Rajasthan.
3. Registrar, Rajasthan University Of Health Science, Sector-18 Pratap Nagar Jaipur.
4. Controller Of Examination, Rajasthan University Of Health Science, Jaipur, Sector-18 Kumbha Marg, Tonk Road, Jaipur.
5. Savitri Bai Fule College Of Nursing, Delhi Express Highway, Near Daulatpura Toll Plaza, Jaipur, Rajasthan Through Its Director.

-----Respondents

Connected With

S.B. Civil Writ Petition No. 11176/2025

Saurabh Maurya S/o Shri Murary Lal Maurya & Ors.

-----Petitioners

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Medical And Health Department, Govt. Secretariat, Jaipur, Rajasthan.
2. Rajasthan Nursing Council, Through Its Registrar, B-39 Sardar Patel Marg, C-Scheme, Jaipur, Rajasthan.
3. Registrar, Rajasthan University Of Health Science, Sector-18 Pratap Nagar Jaipur.
4. Controller Of Examination, Rajasthan University Of Health Science, Jaipur Sector-18 Kumbha Marg, Tonk Road, Jaipur.
5. Shri Krishna College Of Nursing, Kotpootli Through Its Director, Shri Deepak Sharma S/o Late Shri Surya Prakash Sharma, Dabla Road, Near Satyam Marriage



Garden, Kotpootli.

-----Respondents

S.B. Civil Writ Petition No. 18659/2025

Amit Jangid S/o Sundar Lal Jangid & Ors.

-----Petitioners

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Medical And Health Department, Government Secretariat, Jaipur, Rajasthan.
2. Rajasthan University Of Health Science, Jaipur Through Its Registrar, Sector-18 Pratap Nagar Jaipur.
3. Rajasthan Nursing Council, Through Its Registrar, B- 39 Sardar Patel Marg, C-Scheme, Jaipur, Rajasthan.

-----Respondents

S.B. Civil Writ Petition No. 18660/2025

Deepak Saini S/o Shri Mahesh Saini & Ors.

-----Petitioners

Versus

1. The State Of Rajasthan, Through Its Principle Secretary, Medical And Health Department, Govt. Secretariat, Jaipur, Rajasthan.
2. Rajasthan University Of Health Science, Jaipur Through Its Registrar, Sector-18 Pratap Nagar Jaipur.
3. Rajasthan Nursing Council, Through Its Registrar, B- 39 Sardar Patel Marg, C-Scheme, Jaipur, Rajasthan.
4. Controller Of Examination, Rajasthan University Of Health Science, Jaipur, Sector-18 Kumbha Marg, Tonk Road, Jaipur.
5. Shri Krishna College Of Nursing, Kotpootli Through Its Director, Shri Deepak Sharma S/o Late Shri Surya Prakash Sharma, Dabla Road, Near Satyam Marriage Garden, Kotpootli.

-----Respondents

S.B. Civil Writ Petition No. 5175/2026

Shekhawati Medical Parshikshan Sansthan, (A Registered Society), NH-11, Pura Ki Dhani, Post Sabalpura, Sikar

(Rajasthan) Through Its President Daluram Chahar Son Of Late Shri Laduram, Aged About 60 Years, Resident Of Village And Post Dhahar Ka Bas, Tehsil Nechwa, District Sikar (Rajasthan).

-----Petitioner

Versus

1. State Of Rajasthan, Through Its Principal Secretary To Government, Medical And Health Department, Government Of Rajasthan, Government Secretariat, Jaipur (Rajasthan).
2. Joint Secretary To Government, Medical And Health (Group-III) Department, Government Of Rajasthan, Government Secretariat, Jaipur (Rajasthan).
3. Rajasthan Nursing Council, Jaipur Through Its Registrar, B-39, Sardar Patel Marg, C-Scheme, Jaipur (Rajasthan).
4. Rajasthan University Of Health Sciences, Through Its Registrar, Kumbha Marg, Sector-18, Partap Nagar, Jaipur (Rajasthan).

-----Respondents

S.B. Civil Writ Petition No. 6744/2025

Lalita Fanan D/o Mahaveer Prasad & Ors.

-----Petitioners

Versus

1. State Of Rajasthan, Through Its Principal Secretary, Government Medical Of 6 Health Department, Rajasthan, Secretariat, Jaipur (Rajasthan).
2. Joint Secretary (Group-3), Medical And Health Department, Government Of Rajasthan, Government Secretariat, Jaipur (Rajasthan).
3. Rajasthan Nursing Council, Through Its Registrar, B-39, Sardar Patel Marg, C-Scheme, Jaipur (Rajasthan)
4. Rajasthan University Of Health Science, Through Its Registrar, Kumbha Marg, Partap Nagar, Jaipur, Rajasthan.
5. Mahatama Gandhi Bsc Nursing College Sikar (Shekhawati Medical Prashikshan Sansthan), Sikar Through Its Director Shri Dalu Ram S/o Shri Ladu Ram, R/o Gram Post Dhahar Ka Bas, Tehsil-Laxmangarh,

Sikiar.

-----Respondents

For Petitioner(s)	:	Mr. M. M. Ranjan, Sr. Counsel assisted by Mr. Yashvardhan Tolani Mr. Kunal Jaiman Mr. Munesh Bhardwaj Mr. Saransh Saini Mr. Vinod Kumar Sharma
For Respondent(s)	:	Mr. Kamlakar Sharma, Sr. Counsel assisted by Mr. Madhusudhan Singh Rajpurohit Mr. Vigyan Shah, AAG with Mr. Sankalp Vijay Mr. Neeraj Batra, GC with Ms Sneha Kaushal Mr. M. A. Khan Mr. Rajesh Mehrishi with Mr. Devansh Saini Mr. Shahrukh Khan Panwar

HON'BLE MR. JUSTICE SAMEER JAIN

Order

02/04/2026

1. As substantial arguments are heard, the matter is marked as part-heard and the same is admitted.
2. Since the instant petitions are interwoven and interconnected, involving identical controversies and seeking similar reliefs on common issues, they are being clubbed together and are being adjudicated by this common order. The present order shall, for the time being, govern all such petitions and shall apply to each of them on *a mutatis mutandis* basis.
3. Learned counsel for the petitioners unanimously submitted that the petitioners had applied to the Rajasthan University of Health Sciences (RUHS), Jaipur, for the B.Sc. Nursing Entrance

Test for the academic sessions 2024-25 and subsequent years, for the purpose of seeking admission to the B.Sc. Nursing course. It is submitted that the petitioners duly appeared in the said competitive examination, pursuant to which a provisional list of B.Sc. Nursing Colleges was issued by RUHS. In the said list, the names of Shekhawati Medical Prashikshan Sansthan, Shri Krishna College of Nursing, Kotputli, and Savitri Bai Phule College of Nursing were included.

4. It is further submitted that the said colleges were permitted an intake capacity of 40 seats in terms of a judicial order, which was provisional in nature and subject to certain conditions. It is submitted that thereafter, the petitioners were granted admission to the B.Sc. Nursing Part-I course in accordance with their merit under the Rajasthan Centralized Admission to Nursing Course, 2024 and subsequent years, conducted by RUHS; and that the admission letters were uploaded on the official website of RUHS and were duly countersigned by the respective College managements.

5. Learned counsel further submitted that, pursuant thereto, the petitioners joined and commenced their academic sessions in the respective colleges. The cause of action, arose when the Controller of Examination, RUHS, issued an order dated 05.07.2025, notifying the examination schedule; however, to the utter surprise of the petitioners, RUHS did not open the online portal for enrollment and submission of examination forms for B.Sc. Nursing Part-I and subsequent semesters, qua the petitioners.

6. It is submitted that the said action was assailed before the High Court, wherein the petitioners were permitted to provisionally participate in the examinations for Semester I, II, and III, in compliance of the interim directions so issued; and that the present writ petitions are preferred primarily in relation to Semester III and IV examinations, which are stated to be scheduled from 06.04.2026 to 12.04.2026, or on such dates as may be notified.

7. *Per contra*, learned counsel appearing for the respondents submitted that, for the establishment and running of a Nursing College, obtaining a No Objection Certificate (NOC) from the competent authority/State Government is a mandatory requirement. It is submitted that, in the absence of such requisite NOC, the respective colleges have granted intake/admissions on a provisional basis. It is fairly conceded that applications seeking affiliation/permission necessarily require time for consideration, as multiple documents are required to be scrutinized and verified. It is further submitted that delays in the grant of affiliation, issuance of NOC, and completion of other regulatory formalities often give rise to disputes.

8. Learned counsel further submitted that verification of essential eligibility criteria, assessment of infrastructural requirements, permissions from nodal agencies, and examination of their genuineness are time-consuming processes, and, in several cases, the requisite NOCs remain pending. During this interregnum, the respective colleges and/or students have approached this Court and are granted provisional interim protection, subject to stipulated conditions.

9. It is further submitted that, in the context of the aforesaid controversy, a Division Bench of this Court at the Principal Seat, Jodhpur, in **D.B. Special Appeal Writ No. 1079/2025**, titled **RUHS vs. Global Vision Society & Ors.**, along with connected matters, vide order dated 19.09.2025, has held as under:-

"4. In view of the above, all the appeals are disposed of by modifying the impugned interim orders of the learned Single Judge to the following effect:

(i) RUHS shall permit only those institutions, which have been granted valid NOCs by the State Government, to participate in the counseling for admission to B.Sc. Nursing/GNM courses for the academic session 2025-26.

(ii) Upon allocation of students in counseling, RUHS shall enroll them provisionally, subject to fulfillment of all statutory requirements.

(iii) In cases where the NOC has been refused by the State Government, the concerned institutions shall be at liberty to challenge such refusal in accordance with law.

(iv) Counseling shall proceed in accordance with the revised position after NOCs have been duly dealt with"

10. In the backdrop of the aforesaid ratio, learned counsel for the respondents submitted that grant of permission to students/candidates in respect of colleges which are granted NOCs, or whose NOCs is cancelled or rejected, would be contrary to the principles laid down in the said judgment and, therefore, would be unjustified. It is further submitted that, insofar as cases involving pending NOCs are concerned, certain interim orders have been passed; however, learned counsel fairly submitted that he is not in a position to refute as to why similar treatment ought not to be extended to such similarly situated students.

11. Insofar as the matter pertaining to Krishna College of Nursing, Kotputli is concerned, it is submitted that the NOC application remains pending.

In SBCWP No. 6744/2025:

12. Learned Senior Counsel Mr. Ranjan, appearing for the petitioner-students submitted that for Semester I and II, the petitioners were provisionally permitted to appear in the examinations in pursuance of the orders passed by this Court.

13. Learned Senior Counsel Mr. Kamalakar Sharma, assisted by Mr. Saransh Saini- appearing for Shekhawati Medical Parshikshan Sansthan, submitted that, in respect of the extended seats for the academic session 2025-26, a representation is already made. However, for the academic session 2024-25, the same remains pending consideration.

14. *Per contra*, learned counsel for the respondent-State, Mr. Vigyan Shah, learned Additional Advocate General, has opposed the submissions and contended that the infrastructural requirements and other mandatory conditions remain identical even for the previous academic years.

In SBCWP No. 11256/2025:

15. Mr. Jaiman, appearing on behalf of the petitioners herein, submitted that for Semester I and II, provisional permission was granted to the students in terms of the orders passed by this Court, and, therefore, consistency ought to be maintained, failing which the students would suffer irreparable loss.

16. *Per contra*, learned Additional Advocate General has raised stout objections and submitted that the concerned colleges, without obtaining requisite affiliation/permission, have granted

intake/admissions, which amounts to fraud. It is contended that, in such circumstances, even the grant of provisional permission would be unjustified.

INTERIM RELIEF AND AUXILIARY OBSERVATIONS:

17. Having heard the submissions made by learned counsel for the parties, upon scanning of the material available on record, while keeping the aforesaid submissions open to be considered at the time of final adjudication, this Court permits the petitioners in **SBCWP No. 6744/2025, 11256/2025, 11176/2025, 18659/2025 and 18660/2025** to appear in the scheduled examinations for their respective semesters on a provisional basis. It is cautiously clarified that such permission shall remain subject to the final outcome of the writ petition and shall be entirely at the petitioners' own risk and cost.

18. Thence, it is directed that appropriate and necessary arrangements be made by the concerned respondents/authorities to enable the petitioners to appear in the aforesaid examinations. Such arrangements shall include, but not be limited to, facilitation of their enrollment, issuance of admit cards, and ensuring their access to the examination process in accordance with the prescribed schedule. It is further directed that the aforesaid arrangements be made expeditiously so as to ensure that the petitioners are not deprived of the opportunity to appear in the examinations on account of any procedural or administrative impediments.

19. However, it is made clear that the permission so granted and the arrangements so made shall remain purely provisional in

nature and shall be subject to the final outcome of the present writ petitions.

20. Further, this Court is of the view that the matters require due consideration. Accordingly, appropriate replies, if any, be filed by the respondent-State as well as the Rajasthan University of Health Sciences (RUHS), as the issues involved pertain to nursing students who are expected to render essential medical support services. This Court further observes that if students from such nursing colleges have not undergone proper academic training and are merely permitted to continue on a provisional basis, the resultant outcome may be of inadequately trained professionals, which would be detrimental to society. The question as to whether such provisional permission and participation, undertaken at the students' own risk, is justified, particularly in light of the submission made by the learned Additional Advocate General that approximately 603 applications were submitted for affiliation of colleges, out of which only 68 colleges were granted permission after due inspection, requires serious consideration.

21. In view of the aforesaid, this Court deems it appropriate to list these matters for final disposal on 27.04.2026 at 11:00 AM.

22. In the meantime, requisites be completed.

(SAMEER JAIN),J