

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 : 04-04-2025

*Shri Alok Vagrecha - Advocate with petitioner Vishal Baghel.*

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

*Shri Mohan Sausarkar - Advocate for INC.*

*Shri Sudhir Kumar Sharma - Advocate for CBI.*

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I.A. No.5919/2025 - Shri Sankalp Kochar, Advocate is directed to supply a copy of the application and list of the students to Shri Awasthi, who in turn, will seek instructions and apprise this Court on the next date.

That apart, on earlier occasion the Nursing Council has already been directed to produce the record of the colleges whom they found suitable and recognition was granted but CBI in its inspection categorised them 'unsuited'. INC has also recognised certain colleges as suited. Therefore, the INC is also directed to produce the record of Sessions from 2018-19 till 2021-2022 so as to ascertain how the recognition was granted to those colleges and who was the officer(s) responsible for such illegality.

I.A.No.5960/2025 has been filed on behalf of the petitioner under Section 151 of CPC, seeking recall/modification in the order dated 28.03.2025, wherein it is submitted that earlier I.A.No.5308/2025 has been dismissed in which certain relief was claimed in regard to making an enquiry about the expenditure made by the Government in the present case so as to

protect the erring officers, who are alleged to have been involved in the illegality which is pointed by way of the Public Interest Litigation. According to learned counsel for the petitioner, the Court rejected the application and did not consider the relief claimed therein. It is submitted that an enquiry can be ordered authorising independent agency to enquiry about the said fact as to whether the departments of the State Government include MPNRC and MPMSU authorising them to engage their counsel and to pay them additional fees apart from the remuneration which is being paid to the advocates representing the State Government.

However, we are not convinced with the submission made by the learned counsel for the petitioner for the reason that we have already made clear that the MPNRC is an autonomous body and can engage its counsel and they are also free to pay the professional fees as charged by the counsel engaged by them.

Even otherwise, the department of General Administration, Government of M.P. has issued the M.P. Government Business Allocation Rules, wherein Rule 2 makes it clear that names of the MPNRC and MPMSU are not included in the list of Government Departments and therefore these organisations are free to engage their counsel and that professional fees shall not be paid by the State. The MPNRC has been constituted under the M.P. Upcharika Prasavika, Sahai Upcharika-Prasavika Tatha Swasthya Paridarshak Registrikaran Adhiniyam, 1972. Similarly, the MPMSU has been constituted under the provisions of the Madhya Pradesh Ayurvedigyan Vishwavidyalaya Adhiniyam, 2011 and as such they are not the

departments as mentioned in Rule 2 of Rules of M.P. Government Business Allocation Rules.

In view of the above, we are not inclined to entertain the application and it would tantamount to enlarging the scope of litigation which is being tried by this Special Bench. Finding no substance in the application, it is hereby dismissed.

List on 08.04.2025.

(SANJAY DWIVEDI)  
JUDGE

(ACHAL KUMAR PALIWAL)  
JUDGE

Sudesh