

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE SURESH KUMAR KAIT,
CHIEF JUSTICE
&
HON'BLE SHRI JUSTICE VIVEK JAIN

WRIT PETITION No. 5747 of 2023

TABASSUM QURAISHI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WITH

WRIT PETITION No. 5133 of 2023

SEEMA PAL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5774 of 2023

MAMTA SAIYAN AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5869 of 2023

BHANMATI PRAJAPATI AND OTHERS

Versus

DIRECTORATE OF HEALTH SERVICE AND OTHERS

WRIT PETITION No. 6150 of 2023

CHHAYA KUROLIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6370 of 2023

KAVITA VISHWAKARMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6425 of 2023

GUDDI DAVAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6552 of 2023

SMT. JYOTI VERMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6559 of 2023

SMT. SHWETA MEHRA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6593 of 2023

PREETI BALA MISHRA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6685 of 2023

VARSHA RANI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6727 of 2023

SMT. SUSHMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7081 of 2023

SMT.BARKHA LASHKARI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7112 of 2023

REKHA CHOUHAN AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7147 of 2023

SHANTI DEVI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7240 of 2023

RITU SANDILYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7281 of 2023

NIDHI KUREEL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7301 of 2023

ARUNA NANDORE AND OTHERS

Versus

DIRECTORATE OF HEALTH SERVICE AND OTHERS

WRIT PETITION No. 7323 of 2023

MANISHA MALAIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7357 of 2023

JAYA JOSHI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7378 of 2023

SEEMA AHIRWAR AND OTHERS

Versus

STATE OF MADHYA PRADESH IN OBC RESERVATION MATTERS AND OTHERS

WRIT PETITION No. 7417 of 2023

RESHAM AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7438 of 2023

GEETA PRASAD

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7482 of 2023

YAMINEE BILLARE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7495 of 2023

SMT. PRIYANKA DANGI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7496 of 2023

SMT. ANTIM BALA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7704 of 2023

SUMITRA DHURBE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7770 of 2023

RAJNI DEHARIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7787 of 2023

POOJA SINGH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8209 of 2023

SARLA TIWARI AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8342 of 2023

NEHA PATEL AND OTHERS
Versus
STATE OF M.P. AND OTHERS

WRIT PETITION No. 8367 of 2023

SMT. KAVITA BELDAR AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8449 of 2023

MS.AKANSHA DUBEY AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8457 of 2023

MS. SONA BOPACHE AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8478 of 2023

REENA SHARMA
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8503 of 2023

SUSHMA DUBEY AND OTHERS
Versus
STATE OF M.P. AND OTHERS

WRIT PETITION No. 8525 of 2023

DEEPIKA HARDAHA AND OTHERS
Versus
STATE OF M.P. AND OTHERS

WRIT PETITION No. 8849 of 2023

SUCHITA DWIVEDI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9430 of 2023

RANJANA PRAJAPATI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9491 of 2023

SMT. RAJUL JAIN AND OTHERS

Versus

STATE OF M.P. AND OTHERS

WRIT PETITION No. 10240 of 2023

SMT VANDNA CHOURASIA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10259 of 2023

SMT. SHANTA DAWAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10660 of 2023

SANGITA BAGHEL (DELETED) AND OTHERS

Versus

THE COMMISSIONER DIRECTORATE HEALTH SERVICES OFFICE AND OTHERS

WRIT PETITION No. 10826 of 2023

SATYABHAMA MUNJARE AND OTHERS

Versus

DIRECTORATE OF HEALTH SERVICES AND OTHERS

WRIT PETITION No. 11533 of 2023

SMT. SHUSHMA DUBEY AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 11714 of 2023

ARCHANA GOHE AND OTHERS

Versus

DIRECTORATE OF HEALTH SERVICES AND OTHERS

WRIT PETITION No. 11795 of 2023

SMT. GEETA GHOSH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 11819 of 2023

MUMTAJ BEE MANSOORI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 12115 of 2023

SAROJ RAJPUT AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 12290 of 2023

USHA SINGH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 12292 of 2023

ROSHNI PATEL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 13178 of 2023

SMT. MAMTA CHOUHAN AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 16050 of 2023

SMT. ANTIMBALA GUNDIYA
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 17733 of 2023
PREETIBALA CHHITKARE AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 18159 of 2023
LAXMI PANDIT AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 18915 of 2023
POOJA KANOJE AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 19783 of 2023
HEMLATA DANGI AND OTHERS
Versus
NATINOAL HEALTH MISSION BHOPAL AND OTHERS

WRIT PETITION No. 23682 of 2023
NEELAM VERMA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT APPEAL No. 2712 of 2024
SMT. NIDHI YADAV AND OTHERS
Versus
THE STATE OF MP AND OTHERS

CONTEMPT PETITION CIVIL No. 3657 of 2024
MS. NIDHI SHARMA AND OTHERS
Versus
DR. SANJAY GOYAL AND OTHERS

WRIT PETITION No. 4732 of 2024

GEETA DHAKAD

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 4988 of 2024

AASHIYANA SHAIKH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 4996 of 2024

SMT. JOTI ADKANE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5025 of 2024

SMT. UMA OJHA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5026 of 2024

SMT. KANYAKUMARI GOLIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5046 of 2024

ARCHNA YADAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5049 of 2024

SMT. NEETU AHIRWAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5057 of 2024

SMT KANCHAN BAGHEL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5070 of 2024

CHANDA PILLAI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5079 of 2024

SMT. PRIYANKA PRAJAPATI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5089 of 2024

PRIYA ARYA

Versus

DIRECTORATE OF HEALTH SERVICES AND OTHERS

WRIT PETITION No. 5092 of 2024

RADHA PATEL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5094 of 2024

KU. BABITA PATEL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5103 of 2024

ANITA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5108 of 2024

RAJNANDANI BOPCHE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5112 of 2024

SAVITA YADAV AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5118 of 2024

MANISHA PAGARIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5127 of 2024

KARISHMA THAKUR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5129 of 2024

REKHA RAI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5130 of 2024

DIVYANI KAURAV AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5132 of 2024

SMT PUSHPLATA LODHI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5135 of 2024

SMT. NIRMLA LODHI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5145 of 2024

SUMAN DAS (VYAS) AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5148 of 2024

SHYAMA GOYAL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5162 of 2024

SMT. RAMPYARI CHAURASIYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5172 of 2024

EKTA VERMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5177 of 2024

URMILA SUMALI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5189 of 2024

SANGEETA PALVI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5208 of 2024

GARIMA SAXENA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5211 of 2024

SMT. MANISHA MEDA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5225 of 2024

SMT SARITA KUSHWAHA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5253 of 2024

BHAWANA VISHWAKARNA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5258 of 2024
MS AKANKSHA DUBEY AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5277 of 2024
SMT. MITHALESH RAIPURIYA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5311 of 2024
MEENA SONI AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5341 of 2024
PUSHPA DEVI KORI AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5409 of 2024
NIRMALA GOUD AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5412 of 2024
MALTI DEHARIYA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5413 of 2024
SMT. RAMILA DHAKIYA
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5414 of 2024

SMT. SHEETAL SHRIWASTRI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5415 of 2024

PRABHARAY DAMOR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5470 of 2024

PRIYANKA TIWARI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5474 of 2024

SAVITA SAKET

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5480 of 2024

SMT. MANI RAGHUWANSHI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5486 of 2024

SUDHA TIWARI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5491 of 2024

HEMLATA SEN

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5495 of 2024

LACHCHO BAI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5498 of 2024

SMT SEEMA URMALIYA PANDEY AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5500 of 2024

SMT. ANITA KIRADIYA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5501 of 2024

PUSHPA DEVI VALRE AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5514 of 2024

GULSHAN KHAN AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5609 of 2024

SMT. SANDHYA SISODIYA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5612 of 2024

RUKHAMA SOLANKI AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5623 of 2024

URMILA SAKET
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5657 of 2024

SMT. SADHNA CHAURASIA AND OTHERS
Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5658 of 2024

SHRADHA SARVARIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5659 of 2024

RUCHI GUPTA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5661 of 2024

SMT SAVITA VISHWKARMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5662 of 2024

RACHNA SHARMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5664 of 2024

REETU PAWAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5687 of 2024

AASHA VERMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5694 of 2024

SANDHYA TANTULAY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5726 of 2024

KALPANA TIWARI AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5745 of 2024

SMT. UPMA RAWAT AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5751 of 2024

GOUREE ARSIYA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5757 of 2024

SMT. KALPANA PAWAR AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5759 of 2024

SMT. SADHNA BAGRI AND OTHERS
Versus
STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5765 of 2024

PRATIBHA MARAVI AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5804 of 2024

SMT LALITA SONI AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5831 of 2024

ANITA YADAV AND OTHERS
Versus
STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5850 of 2024

REKHA TIWARI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5855 of 2024

SMT. ARCHANA UDENIA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5869 of 2024

URMILA MALVIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5897 of 2024

SUPRIYA VISHWAKARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5924 of 2024

MS. KIRTI RAJPUT

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5930 of 2024

MRS. SHASHI RAWAT MAIDEN NAME KU. SHASHI BARTWAL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5933 of 2024

MS. PINKU MALVIYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5934 of 2024

MS. LATA DEY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5936 of 2024

MRS. AASHA BADODIYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5937 of 2024

KAVITA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5938 of 2024

MRS. MEENAKSHI GARODA @ KU. MEENAKSHI SURYAWANSHI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5939 of 2024

NIRAMA MAURY AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5940 of 2024

SMT KAVITA TOMAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5963 of 2024

SMT. MEENAKSHI PATEL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5977 of 2024

PARUL SINGH AND OTHERS

Versus

UNION OF INDIA AND OTHERS

WRIT PETITION No. 5992 of 2024

SMT. SANGEETA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6029 of 2024

SUMAILA SEMUAL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6046 of 2024

APARNA PATHAK AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6058 of 2024

SMT PINKI KUSHWAH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6076 of 2024

JAVITRI RAI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6080 of 2024

RUCHI TIWARI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6093 of 2024

MRS. VARSHA GUPTA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6094 of 2024

MRS. NEETU VISHWAKARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6139 of 2024

PRIYANKA TIWARI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND

WRIT PETITION No. 6152 of 2024

SMT. POONAM RATHOR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6154 of 2024

SMT. PUSHPA SHUKLA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6160 of 2024

RANU BAGAHE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6203 of 2024

TRIPTI DWIVEDI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6266 of 2024

DEEPIKA RAGHUVANSHI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6274 of 2024

BASANTI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6278 of 2024

SANGEETA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6281 of 2024

RACHANA OJHA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6282 of 2024
MANJU MEWADA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6334 of 2024
SANGEETA AHIRWAR
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6344 of 2024
BRAJKALA CHOURASIYA
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6389 of 2024
POOJA SAHU AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6440 of 2024
PREMWATI KUNJAM
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6442 of 2024
NISHA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6459 of 2024
SMT MOHINI SHARMA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6483 of 2024

KU. JAGRITI BAJPAI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6484 of 2024

BABITA SINGH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6489 of 2024

KAMLA SUMAN

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6517 of 2024

ARCHANA KHATARKAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6561 of 2024

ROSHNI DEVI RAI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6569 of 2024

JEENA BHAGORE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6583 of 2024

SITA DEVI DWIVEDI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6613 of 2024

SOMTA GAVASKAR BUNDELA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6614 of 2024

SMT. TARA AWASE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6624 of 2024

RAJESHWARI KOSHTA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6629 of 2024

SMT. JEEVAN BALA CHOUHAN AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6634 of 2024

BHAGWANTA DAWAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6671 of 2024

NEELAM SINGH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6706 of 2024

SMT. NIDHI VARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6718 of 2024

POOJA JADHAV AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6737 of 2024

NEETA JKAPSE AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6743 of 2024

NILIMA SINGH
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6762 of 2024

KIRAN SHAKYA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6768 of 2024

SMT. ANITA MEWADA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6769 of 2024

SHITAL MUDGAL
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6802 of 2024

SMT. REENA MEHRA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6844 of 2024

SUNITA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6887 of 2024

BABLI
Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6910 of 2024

SUNITA SAHU

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6917 of 2024

JANKI PATEL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6921 of 2024

SMT. SHARDA BANGDIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7002 of 2024

NIRMALA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7029 of 2024

SMT. NEHA SINGH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7082 of 2024

REENA GADAGE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7107 of 2024

ABHILASHA VERMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7168 of 2024

SONAL TIWARI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7223 of 2024

KALPANA GAUTAM AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7356 of 2024

LALITA PATEL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7376 of 2024

RASANA AHIRWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7387 of 2024

ANJU YADAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7391 of 2024

SUBHADRA SINGH JAYSWAL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7421 of 2024

SMT. SANGEETA BHURIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7425 of 2024

SMT. ARTI MEHRA
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7451 of 2024

SMT. SAMIDHA SHRIVASTAVA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7467 of 2024

MEENA SHESHAKAR
Versus
STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7516 of 2024

SMT. NEEMA MEHRA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7525 of 2024

SMT. RASHMI NAMDEV AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7548 of 2024

SHANKLA SINGH
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7558 of 2024

KAVITA VISHWAKARMA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7625 of 2024

SMT. ANKITA BAGHEL AND OTHERS
Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7628 of 2024

SMT. SUNITA VERMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7656 of 2024

PRIYANKA DEHARIYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7684 of 2024

NANDINI RAI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7714 of 2024

MANJU ADIBASI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7789 of 2024

RANI PANVAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7818 of 2024

RAMKALI TEKAM AND OTHERS

Versus

COMMISSIONER AND OTHERS

WRIT PETITION No. 7877 of 2024

SUSHMA PATLE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7905 of 2024

JAYSHREE SINGH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7966 of 2024

SAPNA AHIRWAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7971 of 2024

SMT. MALTI KUSHWAH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7978 of 2024

DIPIKA NAGLE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7983 of 2024

ANJALI RATHOUR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 7985 of 2024

PRATIKSHA MISHRA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8003 of 2024

SHASHI PRABHA SUMAN

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8031 of 2024

SANGEETA MARAVI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8039 of 2024

SUNANDA PATEL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8157 of 2024

ASHA KUMARI SHAH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8178 of 2024

SUNITA ANGHORE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8226 of 2024

SMT. KOMAL PATIDAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8286 of 2024

AMITA BAGRI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8436 of 2024

NANEE KIRADE D/O BHAYSINGH DAWER

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8573 of 2024

NEETU RANI SHARMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8584 of 2024

SMT POOJA YADAV AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8689 of 2024

ARTI DEVI PANIKA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8771 of 2024

MANORAMA KUSHWAH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8790 of 2024

SMT GAYTRI LODHA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8830 of 2024

SMT. BABITA PAL W/O SHRI AMAR SINGH PAL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8834 of 2024

POOJA DAWAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8836 of 2024

YOGESHWARI VYAS AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8863 of 2024

AAMRA KHATOON AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8906 of 2024

PRIYANKA AGNOHOTRI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8962 of 2024

SMT. RAJNI PATEL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 8986 of 2024

SMT. SAVITA MARKAM AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9180 of 2024

KU. RANU THAKUR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9199 of 2024

RAJIYA BEGUM

Versus

COMMISSIONER AND OTHERS

WRIT PETITION No. 9241 of 2024

SONIYA DANGI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9274 of 2024

SMT. RAKHI KUMARI D/O SHRI JAGDEV PRASAD AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9410 of 2024
PRIYA KUSHWAHA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9421 of 2024
BHARTI SONWANI
Versus
COMMISSIONER AND OTHERS

WRIT PETITION No. 9558 of 2024
URMILA BURMAN
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9570 of 2024
KU. KAVITA PATEL
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9573 of 2024
SMT. URMILA SAHU
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9645 of 2024
SMT GIRIJA DHAKAD (VERMA)
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9661 of 2024
NIRMALA DAMOR AND OTHERS
Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9681 of 2024

SMT. MAYADEVI PATEL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9689 of 2024

GEETA DEVI JAISWAL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9766 of 2024

LAXMI BAI SINGROUL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9774 of 2024

SMT PANCH DEVI LODHI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9782 of 2024

MAMTA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 9859 of 2024

BALARANI UIKEY AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10045 of 2024

RANI DIDWANE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10084 of 2024

SMT. LAXMI JATAV AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10086 of 2024

KAVITA SINGH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10114 of 2024

KIRAN YADAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10161 of 2024

SMT. ANJNA ROHIT

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10165 of 2024

GARIMA NAMDEV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10166 of 2024

MRS SHANTI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10187 of 2024

SMT. CHAMELI AHIRWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10239 of 2024

MEERA SINGH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10301 of 2024

SONIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10410 of 2024

LAXMI KOL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10561 of 2024

PRABHA TEKAM AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10678 of 2024

SMT. ARTEE JADHAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10686 of 2024

KU. PRAMILA UIKE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10740 of 2024

RITU SAHU AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10748 of 2024

SMT. MAMTA DUBEY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10811 of 2024

SEEMA PARMAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10824 of 2024

NAGMA DESHMUKH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10884 of 2024

RACHNA KUSHWAH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10886 of 2024

KALPANA SHRIVASTAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10888 of 2024

MAMTA KADERE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10890 of 2024

PRIYANKA RAWAT AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 10920 of 2024

SMT. KANCHAN PARIHAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 11051 of 2024

GEETA AHIRWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 11055 of 2024

VARSHA SEN

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 11147 of 2024

NIKITA PARMAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 11566 of 2024

SUNITA PARMAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 11587 of 2024

SMT. YOGESHWARI HARINKHEDE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 11879 of 2024

DEEPM MEHRA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 12050 of 2024

RADHA PATEL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 12117 of 2024

SUBHASHINI GAUTAM AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 12181 of 2024

SAPNA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 12401 of 2024

ARCHANA KUSHWAHA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 12497 of 2024

REETU SINGH KAURAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 12612 of 2024

VIMLA KUSHWAH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 12739 of 2024

SMT. DURGESHNI RAJAK AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 13042 of 2024

SMT. RANJANA MISHRA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 13202 of 2024

VARSHA SHARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 13259 of 2024

RAVIYA KHATOON

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 13506 of 2024

SMT. CHANDA KUSHWAH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 13543 of 2024

ANEETA PATEL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 13568 of 2024

SMT. RAMA BAI KONDER AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 13818 of 2024

KAVITA WASKALE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 13881 of 2024

MS. SHAKUN DHAKER AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 14015 of 2024

NISHA PANDEY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 14046 of 2024

SHILPI MISHRA
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 14361 of 2024
ANITA BHILALA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 14643 of 2024
RAJKUMARI RAKESIYA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 14810 of 2024
NIKHAT PARVIN MANSURI
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 14890 of 2024
KANCHANA SINGH
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 14953 of 2024
JAYSHREE NIGAM AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 15404 of 2024
SMT. PUSHPA JATAV AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 15590 of 2024
POONAM VERMA
Versus

DIRECTORATE OF HEALTH SERVICES AND OTHERS

WRIT PETITION No. 15889 of 2024

IMLA KHANDEKAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 16145 of 2024

REENA KANADE (SITOLE) AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 16238 of 2024

SMT RITU SINDORIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 16352 of 2024

VARSHA SHARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 16925 of 2024

SONA SOLANKI

Versus

THE STATE OF MADHYA PRADESH THROUGH SECRETARY AND OTHERS

WRIT PETITION No. 16926 of 2024

SMT. SANGEETA AHIRE (DAWAR) AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 17769 of 2024

NEETA SHRIVASTAVA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 18054 of 2024

SUJATA KUMARE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 18183 of 2024

SMT. RANJEETA NAYAK

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 18765 of 2024

DAMESHWARI PATLE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 19270 of 2024

KHUSHBOO NIGAM

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 19645 of 2024

ARUNA ARYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 19648 of 2024

MAYA MALIWAD AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 19782 of 2024

SMT. GANGA SINDAL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 20233 of 2024

RAJANI DEVI AHIRWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 21451 of 2024

CHHAYA MEHRA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 21455 of 2024

SARASWATI URMALIYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 23313 of 2024

SMT. SAROJ DHAKAD (VERMA) AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 23361 of 2024

MADHURI HATKAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH

WRIT PETITION No. 23557 of 2024

SMT. ARCHANA NAMDEO

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 23931 of 2024

DEEPIKA PATEEL SHUKRA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 24148 of 2024

GANGA JATAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 25882 of 2024

ANITA SINGH KURMI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 27748 of 2024

SMT. POONAM VISHWAKARMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 27826 of 2024

SMT. ASHA CHOUHAN

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 27827 of 2024

SMT. GOPAL KUNWAR PANWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 27894 of 2024

SUSHILA BHAWEL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 27896 of 2024

REENA JAMRA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28201 of 2024

MRS. NEELAM AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28280 of 2024

SUNITA DAMOR AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28314 of 2024
MS.MEENA AHIRWAR AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28327 of 2024
SMT. TABASSUM KHAN AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28331 of 2024
SHAYADA CHOUHAN
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28356 of 2024
PRATIMA DWIVEDI
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28374 of 2024
SANGEETA CHAUHAN AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28384 of 2024
SMT RITURAJ CHAURYAL AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28509 of 2024
BARELA DURGA TARACHAND AND OTHERS
Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28637 of 2024

SADHNA PATIDAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28922 of 2024

SAPNA SINGARE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28926 of 2024

SMT. REKHA JAIN AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 28974 of 2024

URMILA VARMA C/O VIKAS AND OTHERS

Versus

STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 29034 of 2024

SMT. GARIMA CHAVAHAN (DALVE) AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 29056 of 2024

SMT. LAXMI AHIRWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 29215 of 2024

NEETU

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 29216 of 2024

SMT. SARSWATI NARWARIYA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 29217 of 2024

SANGEETA KHARTE
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 29264 of 2024

SANGEETA CHANDRAWAR AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 29411 of 2024

SMT. ARAPANA CHAUDHARI
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 29541 of 2024

NISHA SAHU AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 29750 of 2024

REENA BAGHEL AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 29782 of 2024

ARCHANA VISHWAKARMA AND OTHERS
Versus
COMMISSIONER HEALTH SERVICES AND OTHERS

WRIT PETITION No. 29784 of 2024

SARITA BHAGAT AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 29899 of 2024

DURGESH NANDI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 30176 of 2024

NARMADA PRAJAPAT AND ANR. AND OTHERS

Versus

THE STATE OF M. P. AND OTHERS

WRIT PETITION No. 30190 of 2024

SAPNA SHARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 30213 of 2024

ASHA DEVI KUMHAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 30457 of 2024

REENA CHOUHAN AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 30660 of 2024

SMT. MEGHA SEN AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 30706 of 2024

SMT UPASANA JHA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 31097 of 2024

MS.REKHA PANWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 31256 of 2024

ANJU CHATURVEDI @ ANJOO DEVI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 31334 of 2024

SARITA THAKUR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 31392 of 2024

DEVKI DUBEY AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 31402 of 2024

MAMTA GUPTA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 31424 of 2024

REKHA SOLANKI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 31572 of 2024

SMT MAMTA JATAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 32159 of 2024

RAJKUMARI

Versus

DIRECTORATE AND OTHERS

WRIT PETITION No. 32655 of 2024

PRAMILA CHAUHAN

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 32670 of 2024

SMT. BHARTI SONI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 32838 of 2024

SAVITA SANGULLE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 32875 of 2024

BHAVNA NAYAK

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 32915 of 2024

POOJA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 33317 of 2024

JYOTI KACHHI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 34668 of 2024

SMT. ANJUM SIDDIQUE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 34747 of 2024

MANKUWAR KACHI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 34957 of 2024

ARTI TIWARI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 34989 of 2024

SMT BHARTI VISHWAKARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35076 of 2024

SANGEETA PATLE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35105 of 2024

MANISHA PAWAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35106 of 2024

UMA DEVI RAJPOOT

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35128 of 2024

POOJA PATHAK

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35156 of 2024

SHWETA GUPTA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35196 of 2024

PRAMILA PANDEY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35208 of 2024

SHASHI LATA SHUKLA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35219 of 2024

ANJU DEVI AHIRWAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35285 of 2024

KEERTI DHRUWEY AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35289 of 2024

SMT VIDYA TIWARI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35303 of 2024

BABITA KACHHI

Versus

THE STATE OF MP AND OTHERS

WRIT PETITION No. 35315 of 2024

MAMTA SINGH PRADHAN
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35320 of 2024
SHAHEEDA BANO AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35350 of 2024
MEERA DHURVE AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35356 of 2024
LALI CHICHAM
Versus
THE STATE OF MP AND OTHERS

WRIT PETITION No. 35395 of 2024
SHABANA PERVEEN MANSURI
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35435 of 2024
SULOCHNA PATEL AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35439 of 2024
SUREKHA GOMASE AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35445 of 2024
RAJNI RAJAK

Versus
THE STATE OF MADHYA PRADESH

WRIT PETITION No. 35485 of 2024

TARUN BISANDRE AND OTHERS

Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35486 of 2024

SMT LALITA PAWAR AND OTHERS

Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35564 of 2024

SMT. JYOTI AHIRWAR AND OTHERS

Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35627 of 2024

NIRMALA MISHRA AND OTHERS

Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35632 of 2024

SMT. RACHNA DHAKAD AND OTHERS

Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35636 of 2024

VARSHA SHUKLA AND OTHERS

Versus
THE STATE OF MADHYA PRADESH

WRIT PETITION No. 35655 of 2024

MALTI JHARIYA AND OTHERS

Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35663 of 2024

SMT. SASHI RATHOR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35672 of 2024

SMT. ARTI YADAV AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35673 of 2024

BHAWNA KUSHWAHA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35725 of 2024

MANISHA NAGAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35733 of 2024

KIRAN AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35744 of 2024

MANISHA PANDAGRE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35761 of 2024

SMT SNEHLATA TIWARI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35868 of 2024

ALPANA CHATURVEDI
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35876 of 2024

NASREEN KHAN
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35943 of 2024

RUNA RAJAK
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 35970 of 2024

SHIVANI KURMI AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36091 of 2024

BARKHA RANI HARDAHA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36135 of 2024

LAXMI KUSHWAHA
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36375 of 2024

SONU UIKEY
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36427 of 2024

RADHA BADSARE AND OTHERS
Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36440 of 2024

JAMUNA JOGI AND OTHERS

Versus

DIRECTORATE OF HEALTH SERVICES AND OTHERS

WRIT PETITION No. 36458 of 2024

MANISHA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36476 of 2024

SAPNA RATHOUR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36523 of 2024

SANJUSHA VISHWAKARMA AND OTHERS

Versus

THE STATE OF MP AND OTHERS

WRIT PETITION No. 36538 of 2024

MEENA PATEL AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36574 of 2024

KANTA DAMAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36575 of 2024

MANISHA CHANDELA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36592 of 2024

SHAIFALI CHAUDHARI AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36722 of 2024

SAHEEN KHAN
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36725 of 2024

NEHA SAHU AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36772 of 2024

LALITA PANDEY AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36831 of 2024

SMT. SADHNA MISHRA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36847 of 2024

LAXMI SEN
Versus
GENERAL ADMINISTRATION DEPARTMENT AND OTHERS

WRIT PETITION No. 36848 of 2024

PUSHPA PATEL
Versus
GENERAL ADMINISTRATION DEPARTMENT AND OTHERS

WRIT PETITION No. 36895 of 2024

KU. SARITA THAKRE AND OTHERS
Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36927 of 2024

SMT. SUNITA OJHA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 36980 of 2024

SAVITA RAGHUWANSHI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 37094 of 2024

JYOTI THAKUR AND OTHERS

Versus

COMMISSIONERF HEALTH SERVICE AND OTHERS

WRIT PETITION No. 37097 of 2024

SUSHMA NAGESHWAR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 37602 of 2024

SMT. KAMINI BARAI (CHOURASIA)

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 37610 of 2024

SINDHU PALEWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 37649 of 2024

SMT. SHIVANI SINGH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 37775 of 2024

ROSHNI RAJA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 38350 of 2024

SAVITA PATEL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 38829 of 2024

REENU RAJE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 39155 of 2024

SMT. DEEPTI KOL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 39507 of 2024

SMT. PUSHPADEVI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 998 of 2025

CHANDRA PILLAI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 1095 of 2025

RANJNA HANSRAJ AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 1950 of 2025

VEDVATI AHIRWAR AND OTHERS

Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 3640 of 2025

SMT. RAJUL JAIN
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 5449 of 2025

KAMLA KOLI AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

WRIT PETITION No. 6515 of 2025

SHILPA SAHU AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri K.C. Ghildiyal - Senior Advocate with Ms. Warija Ghildiya, Shri Brindawan Tiwari, Shri S.M. Guru, Shri Amber Mishra, Shri Sanjeev Tiwari, Shri Akshay Pawar, Shri L.C. Chourasia, Shri Jitendra Verma (through VC), Shri Tejas Sharma (through VC), Shri D.S. Chouhan (through VC), Shri Rakesh Ahirwar, Shri Nirmal Sharma, Shri Arjun Singh, Shri Ishan Soni, Shri Pramendra Sen, Shri Vikas Mishra, Shri R.S. Verma, Shri S.K. Tiwari, Ms. Chitra Saxena, Shri Hridesch Prasad, Shri R.M. Tiwari, Smt. Sushama Pandey, Hitendra Golhani, Shri R.P. Mishra and Shri Ramesh Kumar Tiwari - Advocates for the petitioners in their respective petitions.

Shri B.D. Singh - Dy. Advocate General for respondents/State.

Shri Sudeep Chatarjee, Shri Bharat Deep Singh Bedi, Ms. Sonal Patel, Smt. G.K. Patel, Shri Lalit Joglekar, Shri Utkarsh Agrawal and Shri Varun Jain - Advocates for the respondents in their respective petitions.

ORDER

(Reserved on : 02.04.2025)

(Pronounced on : 28.04.2025)

Per: Hon'ble Shri Justice Vivek Jain, Judge

By way of batch of these petitions, challenge is made to the advertisement Annexure P-6 issued for recruitment of various posts under Group 5 for which Joint Recruitment Test is advertised to be conducted by M.P. Employees Selection Board. Along with the advertisement, which is Annexure P-6 to W.P. No.7425/2024, challenge is also made to the amendment made to the Recruitment Rules by the State Government vide amendment Notification dated 02.02.2019, whereby the State Government has amended M.P. Public Health and Family Welfare Department Non-Ministerial (Related to Directorate of Health Services) Class – III Service Recruitment Rules, 1989 (“Rules 1989” for short) and for the purpose of recruitment of Auxiliary Nursing Midwife (‘ANM’ for short) also named as Female Multipurpose Health Worker (‘FHW” for short), amendments are made in the matter of eligibility qualifications for recruitment of regular post of ANM/FHW. Since the issues are same and similar in all these petitions, therefore, all are being decided by this common judgment.

2. By the aforesaid amendment Notification, the following entries have been substituted in place of the earlier entry. The impugned qualifications which are now inserted for recruitment on the said post are as under:-

“1 Must have passed Higher Secondary Examination/12th Class Examination in 10+2 Education System (with Biology, Chemistry and Physics).

2. Must have passed 2 years Training Course of Female Multipurpose Health Worker/Auxiliary Nursing Midwife Training Centers run by the Government of Madhya Pradesh only.

3. Must have valid Registration of Madhya Pradesh Nurses Registration Council, Bhopal.”

3. By the aforesaid amendment Notification, the State Government has substituted the earlier requirements for the said post, which were as under:-

“1. Should have passed 10th Class Examination in 10+2 Education System. Candidates having passed 10th class Examination with Mathematics, Science and Biology shall be preferred.

2. Should have passed 18 months training course of Female Health Worker

3. Registration of Female Health Worker.”

4. The arguments on behalf of the petitioners were led by Shri K.C. Ghildiyal, learned Senior Advocate. Shri Ghildiyal has vehemently argued that the impugned amendment Notification dated 02.02.2019 changes the conditions of eligibility laid down for appointment to the post of ANM/FHW. It is contended that the requirements are effectively put to change in the matter of three different issues.

5. *Firstly*, in place of Class 10th Examination as qualifying examination along with requisite training of ANM, now the qualification of Class 12th with Biology as one of the subjects has been incorporated and it is specifically led down that the subjects in Class 12th Examination should be Biology, Chemistry and Physics. It is argued that firstly, earlier requirement to take admission in ANM was Class 10th pass till the year 2012 and even thereafter, as per the Notification issued by Indian Nursing Council, the requirement is Class 12th pass to take admission in ANM course and that Class 12th Examination can be acquired from any group of subjects and there is no requirement led down by Indian Nursing Council that the Class 12th Examination prior to taking admission in ANM course should be with Biology group of subjects. Therefore, it is argued that the respondent – State

would not have incorporated any condition for appointment as ANM/FHW, which is contrary to the requirement laid down by Indian Nursing Council to take admission in ANM course and that the State Government should recognize qualification of Class 12th obtained from any group of subjects, even if at all the requirement of Class-XII examination is to be upheld as one of the essential qualifications.

6. In the second issue of challenge, the requirement of acquiring ANM course of two years duration is also put to challenge by way of these petitions. It is argued that for a long time, i.e. till the Session 2014-15 even Government Training Institutions in the State of Madhya Pradesh have been imparting ANM Training with 18 months duration and therefore, majority of candidates who have appeared in the selection test have acquired ANM training of 18 months duration. It is argued that by the impugned notification the candidates who have earlier obtained ANM training of 18 months duration have been declared to be disqualified, which cannot be done because it would amount to retrospective operation of the rules.

7. The third issue of grievance of the petitioners in the impugned amendment Notification is the requirement to have required ANM training only from Government Institutes and disentitling all candidates, who have acquired such qualification from private colleges/institutions. It is alleged to be unconstitutional and amounting to create class within class

8. To elaborate, it is the case of the petitioners that the three requirements substituted by the amendment Notification of 02.02.2019 are unconstitutional and amount to creating class within class. It is further the argument of the petitioners that the said requirements have been put into place for the first time by Notification dated 02.02.2019 and therefore, firstly the said requirements are unconstitutional and secondly, even if the said requirements are held to be legal and valid, then the candidates, who have already obtained qualifications when the qualifications were recognized as valid qualifications by the State Government,

then for those candidates, who have already obtained qualifications as per the un-amended rules should be treated to have obtained requisite qualification even after the date of from which the amended rules have been notified and enforced.

9. It is also argued that so far as the requirement of obtaining Class 12th Examination with Biology as one of the subjects is concerned, the said requirement is not even there in the Notification/instructions issued by Indian Nursing Council ('INC' for short). It is further argued that INC has been set up by Indian Nursing Council Act, 1947 and as per Section 16 of the Act of 1947, INC is having power to make regulations. The INC has made regulations and put into place the modified requirements for taking admission in ANM course and by the same instructions dated 03.01.2012, the INC has laid down that ANM course would be of two years duration. It is contended that the INC has merely upgraded the educational requirement for taking admission in ANM course from Class 10th to Class 12th from the Session 2012-13 and even as per the modified instructions of INC dated 03.01.2012, the requirement is to simply obtain Class 12th and not to obtain Class 12th from any particular group of subjects, and therefore, the requirement on Biology Group in excessive legislation by way of delegated legislation. Therefore, it is argued that the impugned amendment Notification dated 02.02.2019 is unconstitutional and ultravires the provisions of Section 16 of Act of 1947 in requiring Class 12th Examination to be obtained with Biology Group of subjects, because even the INC has not laid down any such requirements to take admission in ANM course. It is also argued that all those candidates who have taken admission in ANM course were under legitimate expectation that they are undergoing a legal and valid ANM qualification and now all of a sudden the State Government cannot put into place a different qualification which is different from the one as laid down by INC.

10. It is further argued that even the requirement of Class 12th should be stressed only from the date of amending Notification, i.e. 02.02.2019 and all those

candidates, who have obtained ANM qualification as per the old parameters laid down by the INC, i.e. after acquiring Class 10th qualification, those who have obtained earlier qualification should be recognized for the purpose of the recruitment in question and to that extent the amendment Notification should be either be read down, if not declared unconstitutional and ultra vires. It is further argued that no law can have retrospective operation and if the amendment Notification dated 02.02.2019 is read even for those candidates who have acquired qualification prior to 02.02.2019 which were then valid, then it would amount to giving retrospective effect to the amendment, which is not permissible as per law.

11. It is further argued that though the INC has raised the course duration from 18 months to 24 months from the Session 2012-13, but various Nursing Institutions including Government Institutions continued to run 18 months long courses upto the Session 2014-15 and even thereafter for which the students were not at fault. It is argued that for the first time by amendment Notification dated 02.02.2019, the State Government has amended the Rules requiring 24 months/two years ANM course as requisite length of course. Therefore, all those candidates who have acquired ANM qualification of 18 months duration for the purpose of recruitment in question, the amendment dated 02.02.2019 should be read down to that extent.

12. So far as the question of the candidates declared eligible only if they have acquired qualification from Government Institution is concerned, it is contended that the aforesaid requirement is absolutely unconstitutional and has no basis in law. Once a candidate has acquired ANM qualification from an Institute recognized by the State Government, then the State Government cannot say at the time of granting employment that it will not employ the candidates passed out from those institutions, which though were established by private societies, but are having recognition from the statutory bodies like INC, M.P. State Nursing Council as well as the State Government of Madhya Pradesh. Therefore, this distinction

being made at the point of granting employment amounts to unreasonable discrimination and inequality being created which is contrary to the constitutional objectives enshrined under Articles 14 and 15 of the Constitution of India. Therefore, the requirement of completing degree only from Government institutions deserves to be set aside and the impugned Notification dated 02.02.2019 to that effect is absolutely unconstitutional.

13. Learned Senior Counsel for the petitioners also relied on various judgments to buttress his submissions.

14. *Per contra*, learned counsel for the State has vehemently defended the impugned Notification and it is submitted that so far as the issue of candidates acquiring Class 12th qualification with Biology Group is concerned, the Indian Nursing Council had issued instructions in the matter of requisite qualifications for taking admission in ANM course vide letter dated 03.01.2012 and these guidelines were effective from the Session 2012-13. It is argued that the INC has clearly laid down that the candidates need to have Class 12th Examination passed before taking admission in ANM course and the petitioners cannot seek any relaxation from the requirement set up by the INC, though the State being employer can always require even higher benchmark.

15. So far as the requirement of Biology as one of the subjects in Class 12th is concerned, it is vehemently argued by learned counsel for the State that the ANMs in Department of Public Health in the State of Madhya Pradesh are required to work in Primary, Community Health Centers spread over all the areas of the State as well as District Hospitals, wherein critical patients have to be treated and managed including high risk pregnancies, infants and other emergencies, which have to be handled by the Nursing Staff working in such regular hospitals and health centers being run by Department of Public Health of the State Government. It is argued that all the emergency cases come to the Government Hospitals and therefore, the Government thought it fit that the requirement of Biology as one of

the subject in Class 12th, it would give a better human resource to the State Government looking to the nature of work in the Government run hospitals.

16. It is further argued by the State that it is the matter of policy, which is in the exclusive domain of the executive and looking to the requirements of its hospitals, the concerned Department of Public Health of the State has taken a conscious decision to require only those Nurses as ANMs, who have passed Class 12th Examination with Biology as one of the subjects, because of the sensitive nature of work they have to handle in Government Hospitals so that they can be better equipped ANMs in Government Hospitals. It is argued that it was realized by the State Government that with passage of time the nature of services discharged by ANMs have undergone a sea change and therefore, the Government thought it proper to recruit only those ANMs, who have passed Class 12th Examination with Biology as one of the subjects. Therefore, there is nothing arbitrary or irrational in the said decision and it is having nexus with the objective to be achieved.

17. So far as the issue of 24 months ANM training is concerned, it was argued by the learned counsel for the State that the said training period has been put into place by the INC vide its letter dated 03.01.2012 and now the present recruitment has been initiated in the year 2023. Even 11 years after the INC has modified the criteria of ANM course, the petitioners who have acquired 18 months ANM course cannot insist upon the State to recruit them, even though they may be working in other hospitals or departments and may have acquired experience during this period, but since the INC itself has amended the requirement on 03.01.2012 effective from Session 2012-13, therefore, the State Government did the right thing by amending to bring the rules in line with the directives of the INC and there is nothing arbitrary and irrational in that.

18. So far as the argument of the petitioners that those who have already acquired 18 months ANM training while such training was the requisite length as

per INC guidelines, it is argued that once a recruitment is being initiated in the year 2023, then the amendment Notification of the year 2019 would apply and there is nothing wrong in the action of the State and bringing the rules in line with the INC guide lines. It is argued that the State can lay down more stringent parameters for employment, then what has been laid down by the INC, but the petitioners cannot force the State to even go below the benchmark laid down by the INC and therefore, the contention of the petitioners is stated to be misplaced and meritless.

19. So far as the contention made by the petitioners that only the candidates who have passed ANM course from Government Institution is concerned, it is argued by learned counsel for the State that the State is running its Nursing Colleges/Institutions, which are associated to Government Hospitals and the Nurses/ANMs passing out from those colleges are better trained and better equipped. It is further argued that there is a set up procedure for admission to those Nursing Colleges run by the State and before being admitted in those colleges, they have to go through a stringent admission process, which is carried out by the State Government and ANM training selection test is taken by the State Government either itself or through M.P. Professional Examination Board. It is further argued that the State has been carrying out ANM admission test from time to time and in those admission tests the State Government has given promise to the candidates that they would be required to compulsory serve the State Government for a period of three years after completing the course and have to execute bond with the State Government to that effect. It is further argued that the State has been giving a promise to such admitted students in Government Nursing Colleges that they would be given appointment in Government Hospitals/Health Centers upon completing the course. Various rule books/prospectus of admission tests conducted for admission in Government Institutions have been placed on record to submit that the admissions are given in Government Colleges/Institutions with twin conditions, firstly there is a promise to the students that they would be given

appointment in Government Hospitals/Health Centers and secondly that the students have to execute bond of serving Government Hospitals for three years.

20. It is further argued by learned counsel for the State that a legitimate expectation is therefore, created in favour of the students, who are passing out from Government Colleges and to fulfill this legitimate expectation and promise given by the State this provision has been carved out, apart from and without prejudice to the other ground that the candidates who are admitted in Government Institutions come from a stringent selection process conducted on competitive basis and they are the bests of the students, who succeed to get admission in Government Colleges. It is further submitted that though now direct appointments to candidates passing out from Government Colleges cannot be given in view of the M.P. Junior Service (Joint Qualifying) Examination Rules, 2013 being put into place, wherein the post of ANM/FHW is one of the posts for which recruitment test is to be conducted by M.P. Professional Examination Board. Therefore, as now the selection is not automatic and has to be through competitive process, therefore, for the purpose of appointment this provision has been engrafted in the rules that only those candidates would be eligible, who have passed out from Government Colleges and the competition would be only from amongst the candidates, who have passed out from Government Colleges.

21. On these grounds and assertions so also on the assertion that parameters of recruitment and appointment being in the domain of executive and further that the employer is always having competence to lay down the requisite parameters, therefore, no interference taking made in such policy decision and furthermore whatever distinctions are made, they are with some lawful objective to be achieved and having nexus with that lawful objective and therefore, should not be interfered by this Court as any reasonable classification having nexus with objective to be achieved is always valid in law.

22. Heard learned counsel for the rival parties at length.

23. The impugned recruitment notice issued in the year 2023 for appointment on the post of ANM/FHW is for hospitals/health centers run by the Public Health Department of the State as well as by Kamla Nehru Hospital run under the aegis of Bhopal Gas Relief and Rehabilitation so also under Employees State Insurance Services. Some analogies were tried to be drawn by learned counsel for the petitioners with the requirements as laid down by Employees State Insurance Corporation and Kamla Nehru Hospital for same posts, however, the said analogy cannot be made the basis for examining the validity of the impugned amendment notification dated 02.02.2019 because the impugned notification is issued by Department of Public Health and Family Welfare of State of Madhya Pradesh which runs regular hospitals and health centers in the State which deal with critical patients, high risk pregnancies, premature deliveries etc. The said department having laid down its own requirements could validly do so in view of its organizational requirements and requirements of its own hospitals and the requirements put in place by other autonomous bodies or corporations though may be under the fold of the State being its instrumentalities, but that cannot be made the touchstone of examining the validity of the rules framed by the Public Health Department of the State Government running regular hospitals dealing with emergencies and critical patients. Therefore, we proceed to examine the validity of the amendment notification dated 02.02.2019 on its own merits from the anvil of settled parameters to test the validity of rules framed by the employer on the settled principles on which judicial review of such rules can be made.

24. So far as the requirement of Class-12th with Biology as one of the subjects is concerned, this issue can be dissected into two sub-groups. Firstly that whether Class-10th or Class-12th should be recognized and secondly whether Class-10th with Biology can be stressed upon by the State Government by amending the Rules of 1989 vide notification dated 02.02.2019 and laying down a parameter which is higher than the parameter laid down by the INC for admission to ANM course.

25. So far as the requirement of Class-12th as such is concerned, it is not in dispute that Class-10th was the requisite parameter for taking admission in ANM course that was laid down by INC up to the Session 2011-12 but from the Session 2012-13 vide guidelines dated 03.01.2012, Class-12th is the requisite qualification to take admission in ANM course. Therefore, the requirement put in place by amendment notification dated 02.02.2019 by framing the parameters in tune with the admission guidelines for ANM course laid down by the INC cannot be faulted with and no error is found in that from any angle. Neither it can be said to be discriminatory, nor arbitrary nor violating any provision of Constitution nor it can be said to be violative of any other enactment. Therefore, the requirement so far as having passed Class-12th is not erroneous from any angle and is therefore upheld because any ANM qualification obtained by a candidate after session 2012-13 onwards and not having Class-XII qualification, would be a case of illegal admission having been taken in the course.

26. So far as the sub-issue of this issue that whether the State could have stressed on Class-12th to have been passed from Biology, Physics and Chemistry is concerned, it is challenged by the writ petitioners on the ground that once the INC has laid down requisite benchmark for taking admission i.e. to have passed Class-12th irrespective of the subject group, then the State Government could not have laid down any different parameter for the same. Analogy was drawn from the regulations framed by National Council for Teachers Education (“NCTE” for short) which are held to be binding in the matter of appointment of teachers and it has been held by various Courts including this Court that NCTE regulations in the matter of laying down qualifications for teachers are binding on State Government.

27. However, the position of NCTE is entirely different because the NCTE has been specifically given the power and authority to lay down the minimum standards of education of school teachers by Section 12A of NCTE Act 1993. Furthermore, it is the “Academic Authority” in terms of Section 23 of the Right of

Children to Free and Compulsory Education Act, 2009 (for short 'RTE Act of 2009') and has the jurisdiction to lay down the minimum qualifications for appointment as a teacher. Therefore, the jurisdiction enjoyed by NCTE cannot be equated with the jurisdiction exercised by Indian Nursing Council which has only the power to make regulations as per Section 16 of Indian Nursing Council Act 1947.

28. The issue of regulations framed by Indian Nursing Council being binding on the State was considered recently by the Hon'ble Supreme Court in the case of **Suman Devi v. State of Uttarakhand** reported in **(2021) 6 SCC 163**. In the aforesaid case the Supreme Court was considering the similar provisions carved out by the State of Uttarakhand in requiring Class-12th to have been acquired with Biology as one of the subjects for the purpose of recruitments of ANMs in the Health Department of the State. The Supreme Court considered the amendment made by the INC in the guidelines for admission to ANM course which were made applicable from July, 2012. However, it is held by the Hon'ble Supreme Court in the aforesaid case that for the purpose of recruitment to civil posts or services within the State, the State has the competence to prescribe the eligibility conditions and that there is nothing in the Indian Nursing Council Act 1947 (for short, "INC Act") which binds the State to accept the qualifications laid down by the INC or restricts the State from prescribing additional qualifications or experience for employment within the State which is in the exclusive domain of the State. The Hon'ble Supreme Court held that the INC does not have the competence to prescribe the conditions for employment in any given State and that the scheme of INC Act does not give any such jurisdiction to the INC. By considering the scheme of INC Act threadbare, it was held by the Hon'ble Supreme Court that it is within the competence of the State to lay down its eligibility conditions for appointment to posts. The Hon'ble Supreme Court held as under:-

“26. From the above factual narration, it is evident that in the present case, before the formation of the State of Uttarakhand, rules which governed recruitment and other conditions of service in relation to health workers and ANMs had been framed by the erstwhile State of U.P. Those rules were amended in 1998; the result of the amendment to the existing rules was that minimum qualifications of intermediate or equivalent (10+2 from a recognised board) in the science stream were essential for recruitment and appointment to the cadre of Female Health Workers and ANMs. Every candidate of course should have completed the ANM course with the mandatory training; nevertheless, the educational qualification of having completed intermediate, in science, was essential. This Court finds no merit in the submission of the appellants that the requirement of an intermediate in science stream did not exist, since the adaptation order under the Reorganisation Act omitted to mention the rules framed by the erstwhile State of U.P. Sections 87 and 88 of the Reorganisation Act read as follows:

“87. Power to adapt laws.—For the purpose of facilitating the application in relation to the State of U.P. or Uttaranchal of any law made before the appointed day, the appropriate Government may, before the expiration of two years from that day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent legislature or other competent authority.

Explanation.—In this section, the expression “appropriate Government” means as respects any law relating to a matter enumerated in the Union List, the Central Government, and as respects any other law in its application to a State, the State Government.

88. Power to construe laws.—Notwithstanding that no provision or insufficient provision has been made under Section 87 for the adaptation of a law made before the appointed day, any court, tribunal or authority, required or empowered to enforce such law may, for the purpose of facilitating its application in relation to the State of U.P. or Uttaranchal, construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.”

27. By virtue of Section 28 of the Reorganisation Act [“28. Jurisdiction of Uttaranchal High Court.—The High Court of Uttaranchal shall have, in respect of any part of the territories included in the State of Uttaranchal, all such jurisdiction, powers and authority as, under the law in force immediately before the appointed day, are exercisable in

respect of that part of the said territories by the High Court of Allahabad.”] , the newly established Uttarakhand High Court had the jurisdiction, powers and authority in respect of the law in force, immediately before the appointed day, which was exercisable by the Allahabad High Court.

28. A comprehensive reading of the provisions of the Reorganisation Act would show that the laws in force in the erstwhile State of U.P. continued to remain operative upon the creation of the new State of Uttarakhand. Section 87 only had the effect of obliging the State and the courts to thereafter enforce the existing laws, to the extent they were modified within a period of 2 years from the date of commencement of the Reorganisation Act. If the appellants are correct, the mere omission of a law or regulation in the adaptation order, would have the disastrous effect of creating a vacuum in regard to existing laws that are not specifically mentioned. In other words, the power to adapt only meant that such laws which required some modifications or adaptations, could be so modified or adapted within the period defined i.e. 2 years. In the absence of any such exercise of adaptation or modification, all the laws, rules, regulations and statutory orders that were in force in the State of U.P. applied without any change.

29. This Court holds to be unmerited, the arguments of the appellant that the State was bound by the criteria specified in the advertisement issued by it in March 2016, even though Clause 7 of that notification clearly specified that the recruitments for ANMs would be in accordance with the statutory rules. The omission to mention the relevant qualifications (i.e. intermediate or equivalent qualification with the science stream) did not relieve the State from its obligation to follow existing rules. It has not been disputed that the 1997 Rules, after amendment in 1998, mandated that candidates desirous of being recruited as ANM or Health Workers had to possess educational qualifications including Intermediate pass (or its equivalent) with the science stream, apart from the necessary ANM certificate course. That condition remained unchanged even after the creation of the State of Uttarakhand. It was only in 2016, after the advertisement for the recruitment concerned was published, that the rules were changed; the changed new rules relieved the requirement of having to qualify the Intermediate level with science subjects, for the period 2010-2013 and thereafter, after July 2016. For all other periods, the basic educational qualification of intermediate or equivalent pass with a mandatory science stream qualification, remained an essential condition. Therefore, the argument that the State was bound by the standards it specified (in the advertisement which had omitted any mention as to the educational qualification of intermediate with science) did not relieve the State from the obligation of enforcing statutory rules. It is too late in the day to assert that any kind of estoppel can operate against the State to compel it to give effect to a promise contrary to law

or prevailing rules that have statutory force. All arguments to this effect on the part of the appellants are therefore rejected. Furthermore, it is useful to recollect that the eligibility of a candidate or applicant for a public post or service, is to be adjudged as on the last date of receipt of applications for such post or service, in terms of the relevant advertisement, and the prevailing service rules. This position is recognised by settled authority; in Ashok Kumar Sharma v. Chander Shekhar [Ashok Kumar Sharma v. Chander Shekhar, (1997) 4 SCC 18 : 1997 SCC (L&S) 913] a three-Judge Bench of this Court ruled, in this context that : (SCC pp. 21-22, para 6)

“6. ... The proposition that where applications are called for prescribing a particular date as the last date for filing the applications, the eligibility of the candidates shall have to be judged with reference to that date and that date alone, is a well-established one. A person who acquires the prescribed qualification subsequent to such prescribed date cannot be considered at all. An advertisement or notification issued/published calling for applications constitutes a representation to the public and the authority issuing it is bound by such representation. It cannot act contrary to it.”

29. In view of the above we do not find any illegality in the action of the State in prescribing Class-12th to be passed with Biology as one of the subjects alongwith Physics and Chemistry as it is within the competence of the State to lay down its own eligibility condition and the jurisdiction which is given to the INC as per the Indian Nursing Council Act, 1947 is only to prescribe the standards of examination to be satisfied to secure qualifications recognized under the said Act, to prescribe the curriculum for the training of nurses etc., to establish a uniform standard of training for nurses, midwives etc. The said Act does not vest any competence in the INC to lay down qualifications binding the employer to adhere to those qualifications. The scheme of INC Act 1947 is different from the scheme of NCTE Act, 1993 wherein specific powers have been vested in the NCTE as per Section 12-A of the NCTE Act and under RTE Act, 2009.

30. The interference by the Constitutional Courts in policy matters of the Government, are very well defined and the limits of judicial review have been

clearly delineated. In the case of **State of Punjab v. Ram Lubhaya Bagga, (1998) 4 SCC 117**, the Supreme Court held as under :-

“25. Now we revert to the last submission, whether the new State policy is justified in not reimbursing an employee, his full medical expenses incurred on such treatment, if incurred in any hospital in India not being a government hospital in Punjab. Question is whether the new policy which is restricted by the financial constraints of the State to the rates in AIIMS would be in violation of Article 21 of the Constitution of India. So far as questioning the validity of governmental policy is concerned in our view it is not normally within the domain of any court, to weigh the pros and cons of the policy or to scrutinize it and test the degree of its beneficial or equitable disposition for the purpose of varying, modifying or annulling it, based on howsoever sound and good reasoning, except where it is 26 arbitrary or violative of any constitutional, statutory or any other provision of law. When Government forms its policy, it is based on a number of circumstances on facts, law including constraints based on its resources. It is also based on expert opinion. It would be dangerous if court is asked to test the utility, beneficial effect of the policy or its appraisal based on facts set out on affidavits. The court would dissuade itself from entering into this realm which belongs to the executive. It is within this matrix that it is to be seen whether the new policy violates Article 21 when it restricts reimbursement on account of its financial constraints.”

31. In the case of **Directorate of Film Festivals v. Gaurav Ashwin Jain, (2007) 4 SCC 737**, it was held as under:-

“16. The scope of judicial review of governmental policy is now well defined. Courts do not and cannot act as Appellate Authorities examining the correctness, suitability and appropriateness of a policy, nor are courts advisors to the executive on matters of policy which the executive is entitled to formulate. The scope of judicial review when examining a policy of the Government is to check whether it violates the fundamental rights of the citizens or is opposed to the provisions of the Constitution, or opposed to any statutory provision or manifestly arbitrary. Courts cannot interfere with policy either on the ground that it is erroneous or on the ground that a better, fairer or wiser alternative is available. Legality of the policy, and not the wisdom or soundness of the policy, is the subject of judicial review (vide Asif Hameed v. State of J&K [1989 Supp (2)

SCC 364] , Sitaram Sugar Co. Ltd. v. Union of India [(1990) 3 SCC 223] , Khoday Distilleries Ltd. v. State of Karnataka [(1996) 10 SCC 304] , BALCO Employees' Union v. Union of India [(2002) 2 SCC 333] , State of Orissa v. Gopinath Dash [(2005) 13 SCC 495 : 2006 SCC (L&S) 1225] and Akhil Bharat Goseva Sangh (3) v. State of A.P. [(2006) 4 SCC 162])”

32. Therefore, this Court upholds as constitutional and valid, the requirement put in place by the State Government for a candidate to have acquired Class-12th examination from Biology, Physics and Chemistry as subjects before being considered eligible to be appointed as ANM/FHW under the State. This Court does not find anything illegal in the justification placed before this Court by the State that the health centers and hospitals run by Public Health Department deal with emergencies, high risk pregnancies, premature births requiring critical care etc. for which the ANMs having background in Biology and other science subjects would be better equipped. Therefore, we do not find anything ultra-vires the Constitutional provisions, or manifestly arbitrary or disproportionate, in the impugned requirement set in place by the amending notification.

33. Coming to the second issue of ANMs having acquired 24 months training is concerned, it is no longer in dispute that the INC issued revised guidelines effective from Session 2012-13 by which the ANM training was enhanced to 24 months. Any college running 18 months ANM course after the Session 2012-13 has not given valid ANM degree/certificate because no admissions from the Sessions 2012-13 could be given for 18 months ANM training course. If some illegality has been perpetuated by the colleges even though they may be Government run colleges in running 18 months ANM course even for the Sessions 2012-13 and onwards, this Court cannot give a stamp of approval to said illegality and therefore, nothing wrong has been done by the State Government in amending Rules of 1989 by amendment notification dated 02.02.2019 and putting into place the requirement of 24 months ANM training as being the requisite eligibility conditions for being appointed as ANM within the State. The challenge

made to the said requirement is also rejected as the State cannot recognize any qualification as valid qualification which is not the valid ANM course as per INC guidelines. A course which is not a valid ANM course as per INC guidelines cannot be recognized by the State as recognized or acceptable for the purpose of giving employment under the State and therefore, the requirement of having completed 24 months ANM training course is upheld and challenge made to the same is discarded.

34. So far as the challenge made to the requirement of ANM course having been passed out from Government institutions only is concerned, it was vehemently argued before this Court that such requirement is illegal, arbitrary and unconstitutional because once a valid degree / certificate is obtained by the candidates, the State Government cannot distinguish between two sets of certificate holders i.e. Government college pass-outs and private college pass-outs.

35. Similar provision was made in earlier recruitment of 2017 initiated by the Public Health Department. The matter travelled to this Court and Single Bench upheld the requirement of advertisement that only Government institutions students would be eligible for appointment as ANM. However, in **WA No.291/2017 (Gwalior) Radha Purvani Vs. State of M.P. and Ors.**, vide order dated 30.06.2017, the Division Bench struck down the said requirement being illegal and also on the ground that said requirement is not there in the concerned recruitment rules and therefore, could not have been inserted in the advertisement. However, later on RP No. 755/2018 filed for recalling the said order was allowed and the said order was recalled, resultingly the writ appeal was restored. Thereafter the State Government itself modified the requirements and permitted even private college/institution students and therefore, the appellant lost interest in prosecuting the appeal and the writ appeal was dismissed for non-compliance of preemptory order and was never restored thereafter.

36. Vide notification dated 02.02.2019, amendment in the Rules has been carried out inserting the said requirement and now the said amendment is under challenge before this Court.

37. The learned counsel for the State, as already noted above, has argued that the State Government has been carrying out a common admission test for admissions in Government institutions running ANM courses and the said institutions are associated to Government hospitals and therefore, the students of Government institutions have better training and are better equipped because they have already got training and have firsthand experience of the work culture and requirements in Government hospitals which the students of private colleges may not have. It is further brought on record by the State that since a common admission test is carried out by the State on competitive basis, therefore, the State is getting better talent or to say the best talent for its colleges which the private colleges may not be having though they may be having the requisite recognitions and permissions of the State Government and the Statutory authorities.

38. It is further brought on record by the State that while carrying out admission test for admission to Government colleges, State has been requiring the students to execute three years bond with the Government for serving the Government hospitals and also giving a promise to the students that they would be appointed in Government hospitals upon completion of course. Various advertisements have been placed on record by the State counsel which are part of written submissions filed by the State in WP No. 4732/2024.

39. It has been brought on record by the State that since the year 2013 as there is a requirement to carry out competitive recruitment test on various posts under the State, therefore the State is under the obligation to conduct a competitive recruitment test and cannot simply give appointment to Government college students as ANMs in Government hospitals. Therefore, to honour the promise given to the students, the State has carved out a provision that only Government

college students would be eligible to participate in the recruitment process. Thus, the State has justified the said requirement from two angles. Firstly, the promise given by the State to the students of Government colleges /institutions and secondly the students of Government being admitted by competitive examinations and having first-hand experience of working of Government hospitals by studying in colleges / institutions associated to Government hospitals, preference to them has been defended.

40. The employer can always look towards such devices as may be required to get best talent for its establishments. The Government is running hospitals and health centers and if to get best talent it has stressed on the candidates to have passed out from a particular class of colleges in which admissions are given on the basis of competitive examinations with stringent standard of examination, the same cannot be said to be something which is totally arbitrary or irrational. Though it is true that private colleges have the requisite permissions and affiliations from statutory bodies and the State Government, but once a college attracts the best of talent by having stringent requirement of admission to that college, and that if the State has formulated or devised a system or scheme to appoint those students who belonged to the best of talents and have passed out from Government colleges, it cannot be said that it is something arbitrary or irrational. The Government is not giving appointments as ANM/FHW to Government college students without any competitive examination. Even those pass outs have to appear in the recruitment test which is notified and is in challenge before us. The system put in place by the State Government can be equated with the system of medical colleges being run by Armed Forces and the students passing out from those medical colleges being given direct appointments in the hospitals run by the Armed Forces or the students passing out from the Engineering Colleges run by Railways like Indian Railways Institute of Mechanical and Electrical Engineering, Jamalpur admitted through Special Class Railway Apprentice (SCRA) Examination, being given appointment in the

Railways. If the students having passed out from colleges associated with Government hospitals are being given appointment to the exclusion of others, only in Government hospitals, in the opinion of this Court it seems to be something which is having nexus with objective to be achieved. In the case of **State of J&K Vs. Triloki Nath Khosa, reported in 1974 (1) SCC 19**, the Constitution Bench of Supreme Court has held that a discrimination can be valid and a classification can be a valid classification and would not be unconstitutional if it has some nexus with objective to be achieved. The Constitutional Bench held as under:-

“32. Judicial scrutiny can therefore extend only to the consideration whether the classification rests on a reasonable basis and whether it bears nexus with the object in view. It cannot extend to embarking upon a nice or mathematical evaluation of the basis of classification, for were such an inquiry permissible it would be open to the Courts to substitute their own judgment for that of the legislature or the Rule-making authority on the need to classify or the desirability of achieving a particular object.”

41. A recent seven judges Constitutional Bench in the case of **State of Punjab v. Davinder Singh, (2025) 1 SCC 1**, recently affirmed the view taken in **T.N. Khosa (supra)** with approval and held as under :-

“88. In Asstt. Station Masters' Assn. [All India Station Masters' & Asstt. Station Masters' Assn. v. Railways, 1959 SCC OnLine SC 83 : AIR 1960 SC 384] and Mohd. Shujat Ali [Mohd. Shujat Ali v. Union of India, (1975) 3 SCC 76 : 1974 SCC (L&S) 454] , this Court did not specifically answer the question of whether there could be sub-classification within an integrated class. That issue arose for adjudication before this Court in State of J&K v. Triloki Nath Khosa [State of J&K v. Triloki Nath Khosa, (1974) 1 SCC 19 : 1974 SCC (L&S) 49] . The rules provided that only Assistant Engineers who possessed a degree or certain other qualifications were entitled to promotion to the post of Divisional Engineer. However, the pool of Assistant Engineers consisted of both degree and diploma holding graduates. The diploma-holders among them challenged the constitutionality of the rule on the ground that it classified within the class of “Assistant Engineers” based on their educational qualification, and such a classification within a class was violative of Article 14. It was argued that if persons recruited from different

sources are integrated into one class, they cannot thereafter be classified to permit preferential treatment in favour of some of them. This Court upheld the validity of the rule holding that the classification based on educational qualifications, for the purpose of promotions is not unreasonable. Y.V. Chandrachud, J. (as he then was), writing for the Bench held that the classification had a reasonable nexus with the objective of promotions, which was to achieve administrative efficiency in engineering services.

89. *It was also submitted that if persons recruited from different sources are integrated into one class, no further classification can be made within that class. In this case, the direct recruits to the post of Assistant Engineer were required to hold a degree in civil engineering. However, the promotees were drawn from the service which was open to both degree and diploma-holders (the latter did not require a civil engineering degree). Thus, it was argued that a classification based on educational qualifications is a classification which is based on the source of service. This Court held that though persons were appointed from various sources such as promotion and direct recruitment, they came to be integrated into a common class of Assistant Engineers [State of J&K v. Triloki Nath Khosa, (1974) 1 SCC 19 : 1974 SCC (L&S) 49, (Y.V. Chandrachud, J., SCC p. 40, para 50): “50. We are therefore of the opinion that though persons appointed directly and by promotion were integrated into a common class of Assistant Engineers, they could, for purposes of promotion to the cadre of Executive Engineers, be classified on the basis of educational qualifications. The Rule providing that graduates shall be eligible for such promotion to the exclusion of diploma-holders does not violate Articles 14 and 16 of the Constitution and must be upheld.”]. However, despite this integration into a class, they could be validly classified based on educational qualifications because it was not a classification based on the source of service.*

90. *In this context, this Court cautioned that the judgment ought not to be interpreted as a justification for minute and microcosmic classifications and that the theory of classification could not be evolved through “imperceptible extensions”, diluting the very substance of the equality guarantee. [Triloki Nath Khosa case, (1974) 1 SCC 19 : 1974 SCC (L&S) 49, (Y.V. Chandrachud, J., SCC p. 40, para 51): “51. But we hope that this judgment will not be construed as a charter for making minute and microcosmic classifications. Excellence is, or ought to be, the goal of all good governments and excellence and equality are not friendly bed-fellows. A pragmatic approach has therefore to be adopted in order to harmonise the requirements of public services with the aspirations of public servants. But let us not evolve, through imperceptible*

extensions, a theory of classification which may subvert, perhaps submerge, the precious guarantee of equality. The eminent spirit of an ideal society is equality and so we must not be left to ask in wonderment : What after all is the operational residue of equality and equal opportunity? ”] Distinguishing the judgment in *Roshan Lal Tandon v. Union of India* [*Roshan Lal Tandon v. Union of India*, 1967 SCC OnLine SC 70 : AIR 1967 SC 1889 : (1968) 1 SCR 185] , this Court observed in *Triloki Nath [State of J&K v. Triloki Nath Khosa*, (1974) 1 SCC 19 : 1974 SCC (L&S) 49] that the issue in the former was whether the yardstick for integration (that is, the source of recruitment) could be used as a yardstick for further integration, which was not the issue in *Triloki Nath [State of J&K v. Triloki Nath Khosa*, (1974) 1 SCC 19 : 1974 SCC (L&S) 49] . Thus, *Triloki Nath [State of J&K v. Triloki Nath Khosa*, (1974) 1 SCC 19 : 1974 SCC (L&S) 49] is the leading judgment for the proposition that an integrated class can be further classified if there is intelligible differentia and if the yardstick used has a nexus to the object of the provision. [See, *State of Kerala v. N.M. Thomas*, (1976) 2 SCC 310 : 1976 SCC (L&S) 227 (Mathew, J., SCC para 83)]

91. It is not a given that appointees of different sources form an integrated class merely upon their appointment to one post. Even upon integration, the groups retain their separate identity for other purposes. In *Katyani Dayal v. Union of India* [*Katyani Dayal v. Union of India*, (1980) 3 SCC 245 : 1980 SCC (L&S) 380] , this Court held that the Assistant Officers of the Railways recruited through a competitive examination and those recruited on the recommendation of the Union Public Service Commission do not form an integrated homogeneous class because the objects of recruitment, the tenure and even the appointing authority are different. In *A.S. Iyer v. V. Balasubramanyam* [*A.S. Iyer v. V. Balasubramanyam*, (1980) 1 SCC 634 : 1980 SCC (L&S) 145] , a Constitution Bench of this Court upheld Survey of promotion rules that reserved 50% more posts for engineers drawn from the military than for civilian engineers. Krishna Iyer, J., writing for the Bench, observed that the army engineers never merged into the Survey of India service, along with their civilian counterparts.

92. The judgment of this Court in *D.S. Nakara v. Union of India* [*D.S. Nakara v. Union of India*, (1983) 1 SCC 305 : 1983 SCC (L&S) 145] has dwelt on the issue of sub-classification. In *Nakara [D.S. Nakara case*, (1983) 1 SCC 305, para 48 : 1983 SCC (L&S) 145] , a scheme which divided pensioners into two groups based on the date of retirement, to provide pension was challenged. A Constitution Bench held that pensioners formed a class. Notably, this Court, similar to *Triloki Nath [State of*

J&K v. Triloki Nath Khosa, (1974) 1 SCC 19 : 1974 SCC (L&S) 49], did not hold that sub-classification is impermissible merely because the pensioners constitute a class in themselves. As opposed to the inherent impermissibility of sub-classification, the particular basis of classification in that case, namely, the date of retirement, was found to be arbitrary considering the objective of granting pensions. It was held that if this basis of classification was accepted as valid, it would create an artificial distinction between two persons who retired within forty-eight hours of each other. Writing for the Bench, D.A. Desai, J. held that this Court while deciding if sub-classification is permissible must determine if the class is homogeneous for the purpose of the law. [D.S. Nakara case, (1983) 1 SCC 305 : 1983 SCC (L&S) 145 (Desai, J., SCC pp. 330-31, para 42): “If it appears to be undisputable, as it does to us that the pensioners for the purpose of pension benefits form a class, would its upward revision permit a homogeneous class to be divided by arbitrarily fixing an eligibility criteria unrelated to purpose of revision and would such classification be founded on some rational principle?”]

93. *Nakara [D.S. Nakara v. Union of India, (1983) 1 SCC 305 : 1983 SCC (L&S) 145]* goes a step further than *Triloki Nath [State of J&K v. Triloki Nath Khosa, (1974) 1 SCC 19 : 1974 SCC (L&S) 49]* to state that the scope of sub-classification does not hinge on the yardstick which is used to integrate groups into a class but on the issue of whether the class is homogeneous or integrated for the specific objective of the law. When a law integrates a class, such as diploma and degree-holders, it integrates the class for the purpose of that specific law and not for all purposes. Thus, a class which is not similarly situated for the purpose of the law can be further classified. The test that the Court must follow to determine the validity of the sub-classification of a class is as follows:

- (a) Whether the class is “homogeneous” or “similarly situated” for the purpose of the specific law;
- (b) If the answer to (a) above is in the affirmative, the class cannot be sub-classified;
- (c) If the answer to (a) above is in the negative, the class can be sub-classified upon the fulfilment of the following standard:
 - (i) There must be a yardstick (or intelligible differentia) further classifying the class; and
 - (ii) The yardstick must have a rational nexus with the object of the statute.”

42. It is not the case that the State Government has disqualified that all candidates who have passed out from private colleges would not be eligible for any employment in the State. The State has restricted employment only within its fold and the students passing out from private nursing institutions can seek appointment at any other institution or hospital elsewhere in the State but which is not being run by the State Government. Looking to the nature of duties which ANMs in Government hospitals like District Hospitals, Community Health Centers, Primary Health Centers etc., are required to discharge and assist the Doctors dealing with high risk pregnancies and child births, the said requirement being put in place by the State cannot be said to be something which is arbitrary, irrational or unconstitutional attracting the wrath of Articles 14, 15 and 16 of the Constitution of India. Therefore, even this requirement is held to be valid, proper and constitutional.

43. Now coming to the question whether the amendment notification has to be read down to include those who have already acquired qualification prior to amendment notification dated 02.02.2019. Now we will deal with that aspect. It was argued that even if we uphold the constitutionality of impugned notification dated 02.02.2019 then it must be read down in the manner that those who have obtained the qualification prior to issuance of notification should be held qualified. It was argued that the amendment notification cannot be said to have any retrospective effect and if the qualifications obtained prior in time are also held invalid then it would amount to be a retrospective operation of the amendment though it is not made retrospective by the rule making authority.

44. However, this contention was vehemently opposed by learned counsel for the State on the ground that upto the recruitment carried out in the year 2020 the State has been permitting the candidates who have obtained qualifications which were earlier valid as per the old guidelines of the Indian Nursing Council and therefore, now the amendment notification would apply to all future

recruitments even though the qualifications may have been obtained prior in time as per old criteria. Similar controversy arose when the UGC amended its regulations in the year 2009 and the exemption from qualifying National Eligibility Test ('NET' for short) was not given to Ph.D. holders prior to 2009 and was available only to those Ph.D. holders who acquired Ph.D. in accordance with the 2009 Regulations. Various High Courts interpreted the said regulations differently and some of the High Courts including this High Court interpreted that those who have already acquired Ph.D. prior to 2009 are also to be held entitled to exemption from NET examination. However, the matter ultimately reached the Supreme Court and in the case of **P. Suseela v. University Grants Commission**, reported in **(2015) 8 SCC 129** it was held that legitimate expectation must yield to larger public interest. Conflicting judgments of various High Courts were taken into consideration and it was held that no exemption can be claimed from NET examination by those candidates who acquired Ph.D. prior to 2009 Regulations and whose Ph.D. is not in accordance with the 2009 Regulations of UGC.

45. To get over the aforesaid judgment in the case of **P. Suseela (supra)** the UGC brought out amendment regulations in the year 2016 and the matter was then considered by the Supreme Court in the case of **University of Kerala v. Merlin J.N.**, reported in **(2022) 9 SCC 389** and held that 2016 amendment regulations would have retrospective effect because it is clarificatory in nature and its objective is to validate the appointments made prior to judgment in the case of **P. Suseela (supra)**. However, the dispute which arose in the matter of Ph.D. for recruitment of Lecturers in the colleges was whether pre-2009 Ph.D. holders can claim exemption from NET or not. In the said case even the old Ph.D. holders could always acquire NET qualification and compete for Lecturership in colleges. Therefore, old Ph.D. holders still had an option to upgrade their qualification and get the qualification of NET and then compete for Lecturership. Analogy from that dispute could be drawn by the State if any bridge course was being run by INC for those students who have passed out ANM with 18 months course or have got

admission in ANM training course with Class-Xth examination. No bridge course has been setup by the INC till date and therefore, those who have acquired ANM training of 18 months are disqualified and will always remain disqualified for all times to come because there is no option for them to now acquire a second ANM certificate with 24 months training. So far as the issue of having passed Class-12th with Biology is concerned, for those students who are taking admission in ANM course after 2019 would be having a clear understanding that they would not be eligible for Government employment. However, those who already took admission prior to 2019 before the amendment notification came into being, did not have any idea that they would not be disqualified for Government employment and a disqualification being placed by the State Government later in time, when it will operate against the pre-2019 admitted students, would effectively make the notification retrospective. Though it was argued by the State that appointment or employment is not a vested right and no retrospectivity can be alleged unless a vested right is taken away. We are alive of this legal position but we are also aware of the position that though employment is not a vested right but consideration for employment is a vested right and that right of consideration cannot be taken away by framing a disqualification clause later in point of time and applying the disqualification clause for those who have already passed out prior in time and have no option to upgrade themselves. The same would hold true even for the candidates having passed Class-12th with non-Biology subjects prior to 02.02.2019 because such a requirement was not there prior to 02.02.2019.

46. Here the doctrine of legitimate expectation can be pressed into service because those students who have already taken admission as per the old rules and guidelines can be said to be under a legitimate expectation that they would be considered for employment under the State.

47. If the Rule is read down in the manner suggested by the petitioners, public interest would not be suffered because the old pass out candidates would

have acquired experience by now by working in private hospitals and many of them are working on contract basis in Government hospitals and have been gaining experience in the Government hospitals itself. A similar issue came up before the Hon'ble Supreme Court in the case of OCI Card holders who were subjected to withdrawal of certain privileges, and the Supreme Court while holding that such withdrawal would be applicable only to prospective holders of OCI cards, in the case of *Anushka Rengunthwar v. Union of India*, (2023) 11 SCC 209 held as under :-

“52. However, what is necessary to be taken note is that the right which was bestowed through the Notification dated 11-4-2005 and 5-1-2009 insofar as the educational parity, including in the matter of appearing for the All India Pre-Medical Test or such other tests to make them eligible for admission has been completely altered. Though the notification ex facie may not specify retrospective application, the effect of superseding the earlier notifications and the proviso introduced to clause 4(ii) would make the impugned Notification dated 4-3-2021 “retroactive” insofar as taking away the assured right based on which the petitioners and similarly placed persons have altered their position and have adjusted the life's trajectory with the hope of furthering their career in professional education.

53. The learned Senior Counsel for the petitioners would in that context contend that since sub-section (2) to Section 7-B of the 1955 Act does not exclude the right under Article 14 of the Constitution, it is available to be invoked and such discrimination contemplated in the notification to exclude the OCI card-holders should be struck down. Article 14 of the Constitution can be invoked and contend discrimination only when persons similarly placed are treated differently and in that view the OCI card-holders being a class by themselves cannot claim parity with the Indian citizens, except for making an attempt to save the limited statutory right bestowed. To that extent certainly the fairness in the procedure adopted has a nexus with the object for which change is made and the application of mind by Respondent 1, before issuing the impugned notification requires examination.

54. As noted, the right of the OCI cardholders is a midway right in the absence of dual citizenship. When a statutory right was conferred and such right is being withdrawn through a notification, the process for withdrawal is required to demonstrate that the action taken is reasonable and has nexus to the purpose. It should not be arbitrary, without basis and exercise of such power cannot be exercised unmindful of consequences merely because it is a sovereign power. To examine this aspect, in addition to the contentions urged by the learned Additional Solicitor General we have also taken note of the objection statement filed with the writ petition.

55. Though detailed contentions are urged with regard to the status of a citizen and the sovereign power of the State, as already noted, in these petitions the sovereign power has not been questioned but the manner in which it is exercised in the present circumstance is objected. The contention of the learned Additional Solicitor General is that the intention from the beginning was to grant parity to the OCI cardholders only with NRIs. On that aspect as already noted above we have seen the nature of the benefit that had been extended to the petitioners and the similarly placed petitioners under the notifications of the year 2005, 2007 and 2009. The further contention insofar as equating the OCI cardholders to compete only for the seats which are reserved for NRIs and to exclude the OCI cardholders for admission against any seat reserved exclusively for the Indian citizens, across the board, even to the persons who were bestowed the right earlier, it is stated that the rationale is to protect the rights of the Indian citizens in such matters where State may give preference to its citizens vis-à-vis foreigners holding OCI cards. It is further averred in the counter that number of seats available for medical and engineering courses in India are very limited and that it does not fully cater to the requirement of even the Indian citizens. It is therefore contended that the right to admission to such seats should primarily be available to the Indian citizens instead of foreigners, including OCI cardholders.

56. Except for the bare statement in the objection statement, there is no material with regard to the actual exercise undertaken to arrive at a conclusion that the participation of OCI cardholders in the selection process has denied the opportunity of professional education to the Indian citizens. There are no details made available about the consideration made as to, over the years how many OCI

cardholders have succeeded in getting a seat after competing in the selection process by which there was denial of seats to Indian citizens though they were similar merit-wise. ...

62. Therefore it is evident that the object of providing the right in the year 2005 for issue of OCI cards was in response to the demand for dual citizenship and as such, as an alternative to dual citizenship which was not recognised, the OCI card benefit was extended. If in that light, the details of the first petitioner taken note hereinabove is analysed in that context, though the option of getting Petitioner 1 registered as a citizen under Section 4 of the 1955 Act by seeking citizenship by descent soon after her birth or even by registration of the citizenship as provided under Section 5 of the 1955 Act, was available in the instant facts to her parents, when immediately after the birth of Petitioner 1 the provision for issue of OCI cards was statutorily recognised and under the notification the right to education was also provided, the need for parents of Petitioner 1 to make a choice to acquire the citizenship by descent or to renounce the citizenship of the foreign country and seek registration of the Citizenship of India did not arise to be made, since as an alternative to dual citizenship the benefit had been granted and was available to Petitioner 1 and the entire future was planned on that basis and that situation continued till the year 2021.

63. Further, as on the year 2021 when the impugned notification was issued Petitioner 1 was just about 18 years i.e. full age and even if at that stage, the petitioner was to renounce and seek citizenship of India as provided under Section 5(1)(f)(g), the duration for such process would disentitle her the benefit of the entire education course from pre-school stage pursued by her in India and the benefit for appearing for the Pre-Medical Test which was available to her will be erased in one stroke. Neither would she get any special benefit in the country where she was born. Therefore in that circumstance when there was an assurance from a sovereign State to persons like that of Petitioner 1 in view of the right provided through the notification issued under Section 7-B(1) of the 1955 Act and all “things were done” by such Overseas Citizens of India to take benefit of it and when it was the stage of maturing into the benefit of competing for the seat, all “such things done” should not have been undone and nullified with the issue of the impugned notification by

superseding the earlier notifications so as to take away even the benefit that was held out to them.

64. Therefore, on the face of it the impugned notification not saving such accrued rights would indicate non-application of mind and arbitrariness in the action. Further in such circumstance when the stated object was to make available more seats for the Indian citizens and it is demonstrated that seats have remained vacant, the object for which such notification was issued even without saving the rights and excluding the petitioners and similarly placed OCI cardholders with the other students is to be classified as one without nexus to the object. As taken note earlier during the course this order, the right which was granted to the OCI cardholders in parity with the NRIs was to appear for the Pre-Medical Entrance Test along with all other similar candidates i.e. the Indian citizens. In a situation where it has been demonstrated that Petitioner 1 being born in the year 2003, has been residing in India since 2006 and has received her education in India, such student who has pursued her education by having the same “advantages” and “disadvantages” like that of any other students who is a citizen of India, the participation in the Pre-Medical Entrance Test or such other Entrance Examination would be on an even keel and there is no greater advantage to Petitioner 1 merely because she was born in California, USA. Therefore, the right which had been conferred and existed had not affected Indian citizens so as to abruptly deny all such rights. The right was only to compete. It could have been regulated for the future, if it is the policy of the Sovereign State. No thought having gone into all these aspects is crystal clear from the manner in which it has been done.

65. In the above circumstance, keeping in view, the object with which the Act, 1955 was amended so as to provide the benefit to Overseas Citizen of India and in that context when rights were given to the OCI cardholders through the notifications issued from time to time, based on which the OCI cardholders had adopted to the same and had done things so as to position themselves for the future, the right which had accrued in such process could not have been taken away in the present manner, which would act as a “retroactive” notification. Therefore, though the notification ex facie does not specify retrospective operation, since it retroactively destroys the rights which were available, it is to be ensured that such of those beneficiaries of the right should not be affected by

such notification. Though the rule against retrospective construction is not applicable to statutes merely because a part of the requisite for its action is drawn from a time antecedent to its passing, in the instant case the rights were conferred under the notification and such rights are being affected by subsequent notification, which is detrimental and the same should be avoided to that extent and be allowed to operate without such retroactivity.

66. We note that it is not retrospective inasmuch as it does not affect the OCI cardholders who have participated in the selection process, have secured a seat and are either undergoing or completed the MBBS course or such other professional course. However, it will act as retroactive action to deny the right to persons who had such right which is not sustainable to that extent. The goal post is shifted when the game is about to be over. Hence we are of the view that the retroactive operation resulting in retrospective consequences should be set aside and such adverse consequences is to be avoided.

67. Therefore in the factual background of the issue involved, to sum up, it will have to be held that though the impugned Notification dated 4-3-2021 is based on a policy and in the exercise of the statutory power of a Sovereign State, the provisions as contained therein shall apply prospectively only to persons who are born in a foreign country subsequent to 4-3-2021 i.e. the date of the notification and who seek for a registration as OCI cardholder from that date since at that juncture the parents would have a choice to either seek for citizenship by descent or to continue as a foreigner in the background of the subsisting policy of the Sovereign State.

68. In light of the above, it is held that Respondent 1 in furtherance of the policy of the Sovereign State has the power to pass appropriate notifications as contemplated under Section 7-B(1) of the Citizenship Act, 1955, to confer or alter the rights as provided for therein. However, when a conferred right is withdrawn, modified or altered, the process leading thereto should demonstrate application of mind, nexus to the object of such withdrawal or modification and any such decision should be free of arbitrariness. In that background, the impugned Notification dated 4-3-2021 though competent under Section 7-B(1) of Act, 1955 suffers from the vice of non-application of mind and despite being prospective, is in fact

“retroactive” taking away the rights which were conferred also as a matter of policy of the Sovereign State.

69. Hence, the notification being sustainable prospectively, we hereby declare that the impugned portion of the notification which provides for supersession of the notifications dated 11-4-2005, 5-1-2007 and 5-1-2009 and the clause 4(ii), its proviso and Explanation (1) thereto shall operate prospectively in respect of OCI cardholders who have secured the same subsequent to 4-3-2021.

70. We further hold that the petitioners in all these cases and all other similarly placed OCI cardholders will be entitled to the rights and privileges which had been conferred on them earlier to the Notification dated 4-3-2021 and could be availed by them notwithstanding the exclusion carved out in the Notification dated 4-3-2021. The participation of the petitioners and similarly placed OCI cardholders in the selection process and the subsequent action based on the interim orders passed herein or elsewhere shall stand regularised.”

(Emphasis supplied)

48. The said judgment was cited with approval in ***Pallavi v. Union of India***, (2023) 18 SCC 478, in the following manner :-

“19. It is evident that the ruling held that Notification (dated 4-3-2021) operated arbitrarily because firstly it indicated non-application of mind in not saving accrued rights. The application of proviso to Clause 4(ii) of the Notification of 4-3-2021 was held to have no nexus with the objects sought to be achieved. The Court also held that those who are born prior to 2005 and residing in India had received their education in India and had pursued by having some advantages and disadvantages like other children who are citizens of India, and could not be denied their right to participate in NEET examinations or such similar examinations. It was also held that no additional advantage was granted to such class of people merely because they were born abroad and importantly, the Court took note of the amendment which introduced concession to OCI cardholders.

20. Therefore, the Court concluded that when the right conferred was withdrawn and altered, in the process leading to such change, should demonstrate application of mind, nexus to the object of such withdrawal or modification and any such decision had to be free of arbitrariness. In the light of this conclusion, the Court held that the notification saved from the vice of non-application of mind and was in fact retroactive. It was in these circumstances that the Court held that only those persons who obtained OCI cards after 4-3-2021 were rendered ineligible in terms of the notification.

21. In the present case, although the OCI card relied upon by the petitioner on 4-8-2022, the fact that she was in fact issued the OCI registration card first, on 2-11-2015. In such circumstances, the petitioner's eligibility to claim the benefit of OCI cardholder in terms of the ruling in Anushka [Anushka Rengunthwar v. Union of India, (2023) 11 SCC 209] is undeniable. The rejection of her candidature at this stage i.e. on 19-6-2023 is not supportable in law. She is consequently directed to be considered in remaining counselling rounds by AIIMS and all participating institutions for PG Medical seats. It is clarified that the consideration would be regarding seats that are unfilled on the date of this judgment whether reserved for SC/ST/OBC or other categories and such as specially earmarked for Bhutanese candidates, etc. if they can be filled by other candidates, like her. Furthermore, this facility should be open to the petitioner as well as other candidates based upon the available records of those issued OCI cards prior to 4-3-2021 and who can participate in such counselling having regard to their performance in the NEET test, and their ranking.”

49. It is also relevant to note here that even the NCTE which has been coming out with repeated amendment regulations in the matter of teachers' qualification from time to time has recognized the position that those who have obtained qualifications prior to amendment in regulations cannot be held to be disqualified and therefore, in the revised regulations of NCTE, provision is made that those who have obtained qualifications prior to a particular date i.e. at the time of enforcement of some prior regulations having different requisite qualifications shall be treated to have been possessing requisite qualification. The purpose is only to keep the candidates who took admission in the courses which were valid at a

particular point of time to be kept eligible for consideration to be employed and to avoid retrospective operation of such requirements.

50. Drawing analogy with what is the situation in teachers recruitment, after the Notification dated 31.03.2010, the NCTE initially came out with notification dated 23.08.2010 laying down the minimum qualifications for appointment as Teachers. In the said Notification dated 23.08.2023, the qualifications for appointment of Teachers were laid down. However, it did not lay down any qualification for Teachers to teach Classes 9th to 12th. Thereafter, the NCTE issued Notification dated 29.07.2011 amending the Notification dated 23.08.2010. By this amendment dated 29.07.2011 qualifications were not laid down for Teachers to teach Classes 9th to 12th. Thereafter, the NCTE framed Regulations in 2014 notified on 12.11.2014 known as NCTE (Determination of Minimum Qualifications for persons to be recruited as Education Teachers and Physical Education Teachers in Pre-Primary, Primary, Upper Primary, Secondary, Senior Secondary or Intermediate Schools or Colleges) Regulations, 2014.

51. These regulations were framed after insertion of Section 12-A in NCTE Act, 1993. For the first time, the NCTE laid down qualifications for Secondary Classes (Classes 9th and 10th) and Senior Secondary (Classes 11th and 12th) and these regulations contained the qualification of Graduates/PG Degree with at least 50% marks with B.Ed. or its equivalent. 45% marks are required at Graduation/PG level with B.Ed. for Teachers, who had acquired qualifications in accordance with the earlier Regulations, 2002 and 2007 notified on 13.11.2022 and 10.12.2007 respectively.

52. For Classes 11th and 12th qualification of PG Degree with 50% marks and B.Ed. Degree is laid down, but again there is a relaxation for those candidates, who have acquired qualifications earlier when the earlier regulations were in force, i.e. Regulations of 2002 and 2007.

53. Therefore, while upholding the validity of the notification dated 02.02.2019, we hold that the said notification dated 02.02.2019 has to be read down to avoid retroactivity, so as not to operate against those candidates who had obtained the qualifications prior to the date of notification or prior to the rules being amended or guidelines being issued by the INC. Therefore, while rejecting the challenge to the notification dated 02.02.2019 and holding the same to be constitutionally valid and *intra vires*, we issue following directions:-

(a) The candidates having obtained admission in ANM course/training after passing Class-10th qualification and admitted prior to Session 2012-13 in ANM course would be eligible to apply for the selection test. However, those candidates who have been admitted in any college from the Session 2012-13 and thereafter would not be deemed eligible if they have obtained admission in ANM course with Class- 10th qualification.

(b) Those candidates who have acquired ANM training and were admitted prior to Session 2012-2013 and have completed ANM training of 18 months would be held eligible to apply in the selection test, however, those candidates who have been admitted in any college from the Session 2012-13 and thereafter would not be deemed eligible if they have obtained 18 months ANM training in place of 24 months.

(c) So far as the requirement of having passed Class-12th with Physics, Chemistry and Biology and having passed out from Govt. of M.P. run college is concerned, all those candidates who have been admitted in any nursing institution upto the Session 2018-19 would be entitled for the selection in question even if they have obtained Class-12th qualification from subjects other than Physics, Chemistry and Biology and have taken admission

in a college not run by the Govt. of M.P. However for the students admitted in the Session 2019-20 onwards the said dis-qualifications would apply to them with full force.

54. In view of the aforesaid, these petitions are **disposed of**.

(SURESH KUMAR KAIT)
CHIEF JUSTICE

(VIVEK JAIN)
JUDGE

ry/nks