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WP-21603-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,  
ACTING CHIEF JUSTICE

&amp;

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 2<sup>nd</sup> OF JULY, 2025

WRIT PETITION No. 21603 of 2025

*SUREKHA JOSHI*

*Versus*

*COMMISSIONER AND OTHERS*

.....  
Appearance:

*Shri A.K.Pathak - Advocate for the petitioner.*

*Dr.S.S.Chouhan - Government Advocate for the respondents/State.*  
.....

ORDER

*Per. Sanjeev Sachdeva, Acting Chief Justice*

Issue notice.

Notice is accepted by learned counsel appearing for the respondents.

With the consent of parties, the petition is taken up for final disposal.

Petitioner impugns the Advertisement for the recruitment of Grade 5 - Staff Nurses, Multipurpose Female Health Workers (A.N.M.) and others through Direct Posting and Backlog Common Recruitment Examination-2023 and is also aggrieved by notification dated 02.02.2019 by which the educational qualifications required for the said post have been amended.

Learned counsel for the petitioner submits that the case of the petitioner is identical to the individuals who were petitioners in *W.P. No.5747/2023 (Tabassum Quraishi and others vs. State of M.P. and others)*.



He submits that said petition and other batch of petitions were disposed of by a Coordinate Bench of this Court on 28.4.2025 inter alia by directing as under:-

*"53. Therefore, while upholding the validity of the notification dated 02.2.2019, 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-10" 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 Class10" 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 election 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-12" 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-12" 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 disqualifications would apply to them with full force."*

Petitioner has annexed documents evidencing that the case of



petitioner is squarely covered by para 53 of the said judgment.

In view of the above, this petition is allowed in terms of para 53 of order dated 28.4.2025 in W.P. No.5747/2023.

**(SANJEEV SACHDEVA)**  
**ACTING CHIEF JUSTICE**

**(VINAY SARAF)**  
**JUDGE**

TG /-