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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11620 OF 2025

Shree Sant Shiromani
Namdev Maharaj Charitable Trust ...Petitioner.

Versus

Maharashtra University Of Health Sciences
Thr Its Registrar And Another ...Respondents.

Mr. Abhijit Dilip Kulkarni a/w Abhay A. Jadhavar for the Petitioner.
Mr. Sachindra B. Shetye (Through V. C.) a/w Mr. Pruthvi Bendke for Respondent
No. 1
Mr. Abhijeet Naik, AGP for Respondent No.2-State.

Coram : Sharmila U. Deshmukh &
Neeraj P. Dhote, JJ.

Date : August 21, 2026.

P. C. :

1. By the present petition, the challenge is to the order of 01.10.2025, which rejects the petitioner's application seeking continuation of affiliation for the nursing programs for the academic year 2025–2026.

2. The contention of learned counsel appearing for the petitioner is that without affording an opportunity of hearing to the petitioner as mandated by Section 73 of the Maharashtra University of Health Sciences (MUHS) Act, 1998, the application for continuation of affiliation has been rejected. He would further point out the order of

08.08.2025 in an earlier round of litigation, where this Court had directed inspection to be carried out by the MUHS and, based on the outcome, directed the petitioner to make a fresh application for the ensuing academic year. He would further point out that the impugned order 01.10.2025 erroneously considers the petitioner's college as offering courses in Physiotherapy , whereas the petitioner's college is a Nursing college. He submits that as no opportunity of hearing was granted, an erroneous order has been passed.

3. *Per contra*, Mr. Shetye, learned counsel appearing for respondent No. 1, would submit that in the earlier round of litigation, the challenge was to the permanent withdrawal of the affiliation and therefore, the application which was required to be filed was for fresh recognition under Section 73 of the MUHS Act and not an application for continuation of affiliation. He submits that in event, a fresh application is filed, Respondent No. 1 will consider it in accordance with law.

4. Upon a query by this Court, Mr. Kulkarni learned counsel for the petitioner submits that a fresh application will be filed under Section 73 of the MUHS Act and if any adverse order is inclined to be passed against the petitioner, an opportunity of hearing be granted.

5. As the petitioner has shown an inclination to apply for fresh recognition, it is not necessary to go into the validity of the order of 01.10.2025. Mr. Shetye has rightly pointed out that the impugned order

itself states that in event the petitioner desires, a fresh application can be submitted.

6. In view thereof, the petition is disposed of by permitting the petitioner to file a fresh application for recognition within a period two weeks. In event such an application is filed, the respondent No. 1 to give an opportunity of hearing to the petitioner and pass appropriate order within a period of four months.

[Neeraj P. Dhote, J.]

[Sharmila U. Deshmukh, J.]