



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 7TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V.HOSMANI

WRIT PETITION NO. 103760 OF 2026 (EDN-RES)

C/W

WRIT PETITION NO. 100272 OF 2026 (EDN-RES)

WRIT PETITION NO. 100274 OF 2026 (EDN-RES)

IN WP NO. 103760/2026:

BETWEEN:

1. SRI BASANAGOUDA S/O RUDRAGOUDAR PATIL,
AGE. 19 YEARS, OCC. STUDENT,
R/AT. C/O. RUDRAGOUDA
SANNAMALLANAGOUDA HALEMANIPATIL,
HALAMARIPATIL ONI, RAYNAL,
GANGIWAL DHARWAD,
DIST. DHARWAD 580024.
2. POOJA D/O NINGANGOUDA PATIL,
AGE. 19 YEARS, OCC. STUDENT,
R/AT. C/O. NIRMALA NINGANGOUDA
HALEMANI PATIL,
HALAMARIPATIL ONI, RAYNAL, GANGIWAL,
DHARWAD, DIST. DHARWAD 580024.

...PETITIONERS

(BY SRI HIRANKUMAR PATEL, ADVOCATE FOR
SRI GOURISHANKAR H. MOT, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF MEDICAL EDUCATION,
AMBEDKAR VEEDHI, BENGALURU 560001.





NC: 2026:KHC-D:6523
WP No. 103760 of 2026
C/W WP No. 100272 of 2026
WP No. 100274 of 2026

2. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES,
REPRESENTED BY ITS REGISTRAR,
4TH T BLOCK, JAYANAGAR, BENGALURU 560041.
3. SMT.SHAKUNTALA INSTITUTE OF
NURSING EDUCATION,
THE PRINCIPAL/AUTHORISED PERSON,
COLLEGE AT #38, 1ST CROSS, CHETANA COLONY,
VIDYANAGAR, TQ. HUBBALLI,
DIST. DHARWAD 580021.
4. PHOENIX INSTITUTE OF NURSING
THE PRINCIPAL/ AUTHORIZED PERSON COLLEGE,
NH-4, HUBLI ROAD, SHIGGAON,
DIST. HAVERI-581205.

...RESPONDENTS

(BY SMT.NANDINI B. SOMAPUR, AGA FOR R1;
SRI AVINASH BANKAR, ADVOCATE FOR R2 (VC);
SRI HARSHWARDHAN M. PATIL, ADVOCATE FOR R4 (VC);
R3-SERVICE AWAITING)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO,
ISSUE A WRIT OF MANDAMUS DIRECTING RESPONDENT NO.2
AND 3 TO ISSUE HALL TICKET PERMIT THE PETITIONERS TO
APPEAR FOR EXAMINATIONS WHICH IS COMMENCING FROM
16/06/2026 PROVISIONALLY WITHOUT INSISTING UPON
PRODUCTION OF ORIGINAL DOCUMENTS & ETC.

IN WP NO. 100272/2026:
BETWEEN:

SRI BASANAGOUDA S/O RUDRAGOUDA PATIL,
AGE. 19 YEARS, OCC. STUDENT,
R/AT C/O RUDRAGOUDA SANNAMALLANAGOUDA



NC: 2026:KHC-D:6523
WP No. 103760 of 2026
C/W WP No. 100272 of 2026
WP No. 100274 of 2026

HALEMANI PATIL, HALAMARIPATIL ONI, RAYANAL,
GANGIWAL, DHARWAD, DIST. DHARWAD 580024.

...PETITIONER

(BY SRI HIRANKUMAR PATEL, ADVOCATE FOR
SRI GOURISHANKAR H. MOT, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF URBAN DEVELOPMENT AUTHORITY,
AMBEDKAR VEEDHI, BENGALURU 560001.
2. THE KARNATAKA STATE NURSING COUNCIL,
ANAND RAO CIRCLE,
REPRESENTED BY ITS REGISTRAR,
BANGALORE 560009.
3. PHOENIX INSTITUTE OF NURSING,
THE PRINCIPAL/AUTHORISED PERSON COLLEGE
AT: NH-4, HUBLI ROAD,
SHIGGAON, DIST. HAVERI 581205.
4. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES,
REPRESENTED BY ITS REGISTRAR,
4TH T BLOCK, JAYANAGAR, BANGALORE-560041.

...RESPONDENTS

(BY SMT.NANDINI B. SOMAPUR, AGA FOR R1;
SRI SIDDALING REDDY PATIL, ADV. FOR R2 (ABSENT);
SRI HARSHWARDHAN M. PATIL, ADVOCATE FOR R3 (VC);
SRI AVINASH BANAKAR, ADVOCATE FOR R4 (VC)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO,
ISSUE A WRIT OF DIRECTION BY WAY OF MANDAMUS TO
THE RESPONDENT NO.3 TO RETURN ALL THE ORIGINAL
EDUCATIONAL DOCUMENTS AND REFUND THE FEES OF
RS.10,000/- TO THE PETITIONER AS PER IN ACCORDANCE
WITH LAW & ETC.



NC: 2026:KHC-D:6523
WP No. 103760 of 2026
C/W WP No. 100272 of 2026
WP No. 100274 of 2026

IN WP NO. 100274/2026:
BETWEEN:

POOJA D/O NINGANGOUDA PATIL,
AGE. 19 YEARS, OCC. STUDENT,
R/AT C/O NIRMALA NINGANGOUDA HALEMANI PATIL
HALAMARIPATIL ONI, RAYNAL, GANGIWAL,
DHARWAD, DIST. DHARWAD 580024.

...PETITIONER

(BY SRI HIRANKUMAR PATEL, ADVOCATE FOR
SRI GOURISHANKAR H. MOT, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF URBAN DEVELOPMENT AUTHORITY,
AMBEDKAR VEEDHI, BENGALURU 560001.
2. THE KARNATAKA STATE NURSING COUNCIL,
ANAND RAO CIRCLE, BANGALORE 560009,
REPRESENTED BY ITS REGISTRAR.
3. PHOENIX INSTITUTE OF NURSING
THE PRINCIPAL/AUTHORISED PERSON COLLEGE
AT: NH-4, HUBLI ROAD, SHIGGAON,
DIST. HAVERI 581205.
4. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES,
REPRESENTED BY ITS REGISTRAR,
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RS.10,000/- TO THE PETITIONER AS PER IN ACCORDANCE WITH LAW & ETC.

THESE WRIT PETITIONS COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE RAVI V.HOSMANI

ORAL ORDER

Writ Petition no.100272/2026 and Writ Petition no.100274/2026 are by students admitted in B.Sc. (Nursing) Course during academic year 2025-26.

2. Sri Hirankumar Patel, learned counsel appearing for Sri Gourishankar H. Mot, learned counsel for petitioners submitted initially petitioners taken admission at Phoenix Institute of Nursing, Shiggaon, Haveri¹. However, they had subsequently taken admission at Shakuntala Institute of Nursing Education, Chetana Colony, Vidyanagar, Hubballi². It was submitted at time of admission at Phoenix Institute they submitted their original testimonials and got admitted at Shakuntala Institute based on photocopies of same. However, for approval of their admission by Rajiv Gandhi University of Health Sciences, original testimonials required to be submitted

¹ For short, 'Phoenix Institute'

² For short, 'Shakuntala Institute'



to University through College. On account of non-submission, petitioners apprehended that they would not be permitted to take up examinations, constraining them to approach this Court.

3. Learned Additional Government Advocate appeared for respondent no.1-State.

4. On other hand, Sri Harshawardhan M. Patil, learned counsel for respondent no.3 would submit that petitioners had taken admission to B.Sc. (Nursing) Course at respondent no.3-College. Though they had submitted testimonials, same were forwarded to University along with admission list and they were not in possession of testimonials at present. It was submitted, by taking admission in respondent's Institute and thereafter resiling from same, petitioners had rendered one seat in B.Sc. (Nursing) course at Phoenix Institute vacant and wasted. Same would cause loss of fees of one seat for entire course, and therefore petitioners would be required to indemnify Institute.

5. Sri Avinash Banakar, learned counsel for Respondent -University would submit that relief sought for in writ petitions were misconceived. It was submitted, since petitioners had taken admission at Shakuntala Institute after



initially taking admission at Phoenix Institute to appear for Examinations and approval of their admission, all that would be required was a 'No Objection' from Phoenix Institute. In case same is furnished, University would consider approval of their admissions to appear for Examinations. In view of same, WP no.103760 of 2026 would be unnecessary.

6. In reply, learned counsel for petitioners submits that if a direction is issued to respondent no.3 to issue 'No Objection', petitioners would be satisfied.

7. Heard learned counsel and perused material on record.

8. This Court as well as several other High Courts, in innumerable decisions, have time and again held that for any dues from student, Educational Institutions cannot be withhold certificates or testimonials.

9. In view of above, though relief sought is for direction for return of original marks cards to enable petitioners to submit them to University, same would not survive as testimonials are already with University. Therefore, it is found appropriate to dispose of writ petitions by issuing appropriate directions.



10. Accordingly, Writ Petition no.100272/2026 and Writ Petition no.100274/2026 are **disposed of** by directing Phoenix Institute to issue 'No Objection' to petitioners for their admission with Shakuntala Institute, which shall be without prejudice to their claims against petitioners herein within two weeks from today.

Said 'No Objection' is ordered to be forwarded to University with copies marked to petitioners as well as Shakuntala Institute.

11. It is clarified that in case of default, respondent no.3 - Institute would be liable for damages of ₹25,000/- for each day of default.

12. In view of order passed in WPs no.100272 and 100274 of 2026, WP no.103760 of 2026 would not survive for consideration and is **disposed of** as such.

Sd/-
(RAVI V.HOSMANI)
JUDGE

SMM,CLK
LIST NO.: 1 SL NO.: 3