

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 2040/2025 CM(5402/2025)

OASIS EDUCATIONAL INSTITUTE

...Petitioner(s)/appellant(s)

Through: Mr. Aatir Javed Kawoosa, Advocate

Vs.

UNION TERRITORY OF J AND K

...Respondent(s)

Through: Ms. Maha Majeed, Assisting Counsel vice
Mr. Abdul Rashid Malik, Sr. AAG

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER

25-08-2025

Petitioner (Oasis Educational Institute) prays for a Certiorari to quash the impugned order bearing No. 250 FFRC of 2025 dated 05.03.2025, vide which, the fee structure to be charged by the petitioner school for session 2024-25, 2025-26 and 2026-27 has been regulated at unreasonably low rates and meager increment has been allowed in the tuition fee for three consecutive sessions. Further, even the annual fee has been slashed down which has hampered the functioning of the school.

So much so, the petitioner has also been directed to refund the amount of Rs. 600/- to the students who left the school and adjust the same to the future fee of the students who are still studying. And, also to command the respondents to enhance the tuition as also the annual fee charged by the school in sync with the proposal submitted by the petitioner school or at a rate commensurate with the other similarly situated private institutions.

It is submitted that prior to the institution of this petition, the petitioner, vide application dated April 7, 2025 (Annexure VII), had required respondent No. 02 to review the order dated March 5, 2025 and even though a considerable time has elapsed but the matter has not made any tangible progress.

Served with an advance copy of the petition, Ms. Maha Majeed, Assisting Counsel is present on behalf of the respondents.

At the outset, she on instructions submits, for the matter is already pending consideration before the respondent No. 02, let the petition at hand be disposed of, at this stage, to enable the respondents to consider the concerns/grievances of the petitioner as also the application/representation dated April 7, 2025 (ibid) and pass appropriate orders in accordance with law.

Learned counsel for the petitioner is agreeable to the course suggested by the learned counsel for the respondents. However, he submits, for, with each passing day the rights/interests of the petitioner institution are severely impaired, the authorities be directed to take cognizance of the matter and pass necessary orders within the specified time.

To this, learned counsel for the respondents submits that necessary orders, as indicated earlier, shall be passed within four weeks from today. And, if necessary, after affording an opportunity of hearing to the petitioner for which advance intimation/notice shall be served upon the petitioner. So much, he, as always, fairly submits that till the time the representation of the petitioner is considered and formal orders in this regard are passed, no recovery, pursuant to the order under challenge, shall be caused.

In the wake of the above and in terms of the statement made by learned counsel for the parties, the petition is disposed of.

This Court is sanguine that the competent authority shall examine the concerns/grievances of the petitioner in the right earnest and pass a comprehensive order assigning reasons in support thereof.

However, this order shall not constitute any expression of opinion on merits of the case of either party.

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

SRINAGAR
25-08-2025
Aamir