

hvn

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION (L) No. 33989 OF 2014
WITH
CIVIL APPLICATION (ST) No.170 OF 2015**

Dr. J.J. Magdum College for Engineering and anr. ... Petitioners
Versus
Shikshan Shulka Samiti ... Respondent

Mr. Uday P. Warunjikar for the petitioners.

Mr. Prathamesh Gokhale for respondent no. 1.

Mr. Vijay Killedar for applicant in Civil Application (st) No. 170 of 2015.

**CORAM : SMT. VASANTI A. NAIK &
SHRI C.V. BHADANG, JJ.
DATED : 20th JANUARY, 2015**

P.C.

By this petition, the petitioners impugn the order of the Shikshan Shulk Samiti dated 7th April, 2014 asking the petitioners to produce the record as the Samiti has received a complaint in regard to the submission of bogus documents while seeking the revision of fees.

The petition is premature. By the impugned order, the Shikshan Shulk Samiti has merely asked the petitioners to tender the necessary documents for looking into the grievance in regard to the submission of bogus documents by the petitioners in the matter of revision of fees. The petitioners are only required to submit the necessary papers to the Shikshan Shulk Samiti in pursuance of the impugned order. The Shikshan Shulk Samiti has not passed any final order on the complaint received by the Samiti and has merely asked the petitioners to produce the record to

verify the complaint. In the facts of the case, we decline to entertain the writ petition at this stage. The submission made on behalf of the petitioners that only the students or the parents could have made the complaint to the Samiti and hence the complaint made by any other person could not have been looked into by the Samiti, is ill-founded. Clause 3.1 of the norms only states that the revision for the fees structure can be filed before the Samiti by the students, parents or the colleges as they are directly interested in the revision of the fees by the samiti. The complaint in the instant case is not in regard to the revision of fees structure. In the instant case, the complaint is made in regard to the submission of the bogus documents by the petitioners while seeking the revision of the fees. So also the submission made on behalf of the petitioners that the fee was already fixed and hence, the Samiti could not have issued the impugned communication asking the petitioners to produce the record, is equally ill-founded and is liable to be rejected. The Samiti merely wanted to verify the complaint made against the petitioners in respect of the submission of false and bogus documents and no case is made out for interference at this stage.

The last submission on behalf of the petitioners that the revision of the fees could be effected only within a period of thirty days from the date of fixing of the same and hence, the Samiti could not have issued the communication to the petitioners, is recorded at the instance of the petitioners, only to be rejected. In the result, the writ petition is dismissed with no order as to costs.

In view of the dismissal of the writ petition, Civil Application (St) No. 170 of 2015 stands disposed of.

(C.V. BHADANG,J.)

(VASANTI A.NAIK, J.)