

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2769/2015

Miss. Diksha d/o Kedarnath Sao

...Versus...

State of Maharashtra, through Ministry of Social Justice & Special Assistance,
Mantralaya, Mumbai – 400032 and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.G. Karmarkar, Advocate for petitioner
Shri A.S. Fulzele, Addl. G.P. for respondent nos.1 and 2
Shri R.P. Masurkar, Advocate for respondent no.3

CORAM : SMT. VASANTI A NAIK AND
KUM. INDIRA JAIN, JJ.

DATE : 30.08.2016

Shri Karmarkar, the learned Counsel for the petitioner states that the issue involved in this case was also involved in Writ Petition Nos.4321/2015, 5308/2015 and 989/2016 and this Court had by a common judgment, dated 27.6.2016, allowed the writ petitions after holding that the facility of fee reimbursement cannot be declined to the students, who are admitted in 2014 or earlier, at the institutional level, though their admissions are duly approved by the Admission Regulatory Committee (Pravesh Niyantran Samiti). It is stated that the said decision is based on the judgment, reported in **2015 (2) Mh.L.J. 370**, where a similar question was considered and decided in a writ petition filed by the Association of Managements of Unaided Engineering Colleges.

Shri Fulzele, the learned Additional Government Pleader appearing on behalf of the respondent nos.1 and 2 and Shri Masurkar, the learned Counsel for the respondent no.3 do not dispute the statements made on behalf of the petitioner.

Hence, for the reasons recorded in the judgment, dated 27.6.2016 in Writ Petition No.4321/2015 and others and the judgment, reported in **2015 (2) Mh.L.J. 370**, we allow the writ petition. It is hereby held that the Government Resolution, dated 30.3.2015 would not be applicable to the case of the petitioner, as her admission is regulated in terms of the Government Resolution, dated 4.3.2014.

Order accordingly. No costs.

JUDGE

JUDGE

Wadkar

CERTIFICATE

I certify that this order uploaded is a true and correct copy of original signed order.

Uploaded by : S.S. Wadkar, P.S.

Uploaded on : 31/08/2016