

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.7707 OF 2013

Students Academic Education
Society, Aurangabad
and another

... Petitioners.

Versus

State of Maharashtra
and another

... Respondents.

....

Mr. Sharad V. Natu, Advocate for the Petitioners.
Mr. Y.G. Gujrati, A.G.P. for Respondents

....

**CORAM : T.V. NALAWADE &
SUNIL K. KOTWAL, JJ.**

DATED : 26th FEBRUARY, 2018

ORDER:-

1. The petition is filed for giving directions to the respondent, particularly to the Government to release the amount in respect of reimbursement of tuition fees of 11 students for the academic year 2011-12. Both sides are heard.

2. The submissions made show that initially the AICTE had not give recognition to the B-Pharmacy Course which was started by the petitioner. Statement made by the petitioner shows that all 11 students are from the category of Scheduled Castes and Scheduled Tribes and they are entitled to get scholarship. After

their admission in recognized institution, the recognized institution was entitled to get reimbursement of tuition fees. The forms of the students were not forwarded to the authority for claiming reimbursement and also scholarship for the academic year 2011-12 and the amount of reimbursement has not been given.

3. Learned counsel for the petitioner submitted that subsequently AICTE gave recognition to the institution. There is a copy of proceeding filed by the students like Writ Petition No.4845/2012. The order made by this Court shows that more than 11 students had approached this Court. They had completed first year successfully but when they wanted to get Transfer Certificate as the course was closed. The institution-respondent no.3 therein had not issued Transfer Certificates on the ground that no reimbursement of the tuition fees was made by the Government. This Court directed the said respondent to see that Transfer Certificates are issued. Thus, when the students came to this Court, the course was closed. It is the experience of the Court that the colleges do not take proper care for forwarding the forms filled by the students for getting scholarship. The proposals for getting reimbursement also ought to have been made in time. The submissions show that every time the Government extended time for submitting the proposals. It can be said that only because AICTE had not given recognition the petitioner was waiting for the same and so the petitioner had not forwarded the proposals. Due to that 11

students suffered and the Government has not given scholarship for that year to Scheduled Castes and Scheduled Tribes students. Now the petitioner wants direction against the Government to see that it get tuition fees in respect of those students. This Courts holds that the petitioner was playing with the future and carrier of the students and so it is not entitled to any such relief.

4. The Writ Petition stands dismissed.

(SUNIL K. KOTWAL)
JUDGE

(T.V. NALAWADE)
JUDGE

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