

ISM

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****PUBLIC INTEREST LITIGATION NO. 41 OF 2015**

Chatra Shikshak Kruti Sanstha
through its vice president

.....Petitioner

V/s.

The State of Maharashtra and others

.....Respondents

Mr. Pramod Yadav a/w Mr. Anil Jaiswar i/b Mr. R. G. Panchal for
the petitioner

Mr. M. M. Pable AGP for respondent State

Mr. A. V. Anturkar Senior Counsel i/b Mr. U. G. Dindore for
respondent No. 8

Mr. Rajendra Anbhule for respondent No. 7

**CORAM : PRADEEP NANDRAJOG, CJ. &
N. M. JAMDAR, J.**

DATE : MAY 2, 2019.

P.C.

We have heard learned counsel for the parties.

2 The petitioner who claims to be a social organisation with the

object of ensuring discipline in education claims that Sardar Dastur Primary School-respondent No. 9 and Symbiosis College of Arts and Commerce-respondent No. 8 are charging not only excess fee but even capitation fee. It is pleaded that the Director Primary, Higher and Secondary Education are overlooking the wrongs.

3 Suffice it to state that Director Primary, Higher and Secondary Education have no role to play in education imparted at graduation and post graduation levels.

4 Schools in the State of Maharashtra have Parents-Teachers Association. If any school is charging excessive fee or is charging capitation fee, with reference to specific instances, parents through the Association or by themselves can approach the Court. Similarly, if a college is charging excessive fee or taking capitation fee, the issue can be raised by the aggrieved students or their parents.

5 In the counter affidavit filed by respondent No. 8 it is pleaded that the petitioner exerts illegal pressure on respondent No. 8 under

threat of frivolous litigation to compel the said respondents to grant admission under the management quota.

6 We terminate proceedings in the instant petition for the reason if there was a genuine grievance, either students or their parents would have raised the same.

7 The petition is dismissed.

N. M. JAMDAR, J.

CHIEF JUSTICE