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

**WRIT PETITION NO.4123 OF 2019
(Modified as per order dated 8/4/2019)**

Dr. Mohit Jain and others ..Petitioners

Versus

Armed Forces Medical College
Southern Command, Near Race Course
Solapur Road, Wanowrie, Pune and others ..Respondents

Mr. Ashwin V. Sakolkar, Advocate for the Petitioners.

Mr. V. M. Mali, AGP for Respondent – State.

Mr. Rui Rodrigues, Advocate for Respondent No.2.

**CORAM: B. R. GAVAI &
DAMA SESHADRI NAIDU, JJ.**

DATE: 2nd APRIL, 2019

P.C.:-

1] Petitioners have approached this Court seeking a declaration that the bond of Rs 25,00,000/- which was required to be executed by Respondent No.1 while admitting the Petitioners in the said College for the academic year 2014-15, is contrary to Rule 12 of the Information Brochure.

2] Mr. Sakolkar, learned Counsel for the Petitioner, submitted that

the Information Brochure provided for execution of a bond only of an amount of Rs 5,00,000/-. He submitted that only at the time of admission, the Petitioners came to know that the Bond to be executed by each of them was of Rs 25,00,000/- and not of Rs 5,00,000/-. He submitted that this Court should declare that the Bond, which was required to be executed by the Petitioners at the time of their admission in Respondent No.1 – College, as per Rule 12 of the said Information Brochure, was of Rs 5,00,000/-.

3] Petitioners have been admitted in the year 2014-15. After undergoing the Courses and getting complete qualification, now they have woken up from the slumber and realized that an illegality was committed by Respondent No.1. Respondent No.1 has imposed a condition of execution of bond of Rs 25,00,000/- so that the huge amount which has been spent on education of the Petitioners is not gone in waste and they are required to serve the Nation or pay the amount of Rs 25,00,000/- as a part of reimbursement towards the costs spent by a Public Exchequer. We find no illegality in the said approach of Respondent No.1. Petition is therefore without any merit

and liable to be dismissed with costs.

4] Petition is dismissed with costs which are quantified at Rs 20,000/- per Petitioner. The aggregate costs of Rs 1,00,000/- is directed to be deposited by the Petitioners i.e. Rs 20,000/- per Petitioner within 10 days from the date of uploading of this order with Cipla Cancer & Aids Foundation, 118/1, Mumbai Bangalore Road, Warje, Opposite Popular Nagar, Pune 411058 and receipts thereof be placed on record of this matter, failing which, this Court would initiate *suo moto* contempt against the Petitioners.

(DAMA SESHADRI NAIDU, J.)

(B. R. GAVAI, J.)