

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6078 OF 2020

SHAMSUNDAR MUNDE PRATISHTHAN THROUGH IT'S PRESIDENT
DATTATRAYA VITTHALRAO BALUTKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.S.S.Thombre, Advocate for the petitioner.
Mr.S.B.Yawalkar, AGP for respondent Nos. 1 to 6.

(CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, JJ)

DATE : SEPTEMBER 14, 2021

PER COURT :

1. Having heard the learned Advocates for the respective sides, we have perused the judgment dated 06/12/2018 delivered by this Court in WP No.4035/2018 filed by Shri Bhagwanbaba Sevabhavi Sanstha's, Mauli Nursing School Vs. State of Maharashtra and other connected petitions.

2. There is no dispute that this judgment laying down the law on reimbursement of scholarship amounts for a particular category of employees, was delivered on 06/12/2018 and the impugned communication denying fee reimbursement of scholarship to the

students of Nursing Courses was issued on 23/07/2014, knowledge of which was derived by the petitioner for the first time in 2019. Therefore, the petitioner rushed to this Court on 16/06/2019.

3. In view of the above, the learned AGP submits that the petitioner will have to refurnish the list of students for the Nursing Courses for the academic year 2011-2012 and 2012-2013, so as to be considered within the ambit of the judgment dated 06/12/2018 (supra).

4. As such, this petition is partly allowed. The impugned communication dated 23/07/2014 is quashed and set aside.

5. The petitioner shall furnish the list of the students with reference to reimbursement of their scholarship amounts for the above mentioned academic years of the nursing courses, to respondent No.4, on or before 30/09/2021. Respondent No.4 shall then formalize its decision in the light of the law laid down in the judgment in Shri Bhagwanbaba (supra), as expeditiously as possible and in any case on or before 30/11/2021.

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)