

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

25 WRIT PETITION NO. 2094 OF 2021

MANASI VIKRAM BHAGWAT AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Sandip R Andhale
Addl. GP for Respondent Nos. 1 to 3 : Mr. P. S. Patil
Advocate for Respondent Nos. 4 & 5 : Mr. Vikram S. Kadam

...

**CORAM : RAVINDRA V. GHUGE AND
S. G. DIGE, JJ.**

DATE : 4th APRIL, 2022

PER COURT :-

1. The petitioners are before us with a grievance that due to Covid-19 pandemic and the national lock-down from 24th March, 2020, several parents of the students were unable to pay the fees. The Government came out with a Government Resolution dated 30-03-2020, directing the School Management/s to exempt the parents from payment of tuition fees and other school fees by showing sympathy. They were also advised to have patience and to avoid being harsh with the parents for the purpose of recovery of unpaid school fees.

2. Considering the affidavit-in-reply filed by the school management, which is an unaided school, it is pointed out that the financial resources of the school began depleting and consequently the stage has come when some of the teaching and non-teaching staff members were

paid 50% of their monthly salaries for some period. After unlocking and withdrawal of the lock-down restrictions and after the school attendance moved from *on-line* process to *off-line* process permitting physical presence in the school, the management has started recovery of unpaid fees in a staggering manner.

3. The learned Advocate for the management submits that recovery of the unpaid fees is being taken up earnestly and it would be by the end of March 2023, that the recovery exercise would be completed and arrears of the salaries of the teaching and non-teaching staff would also be cleared. Such is the statement made in paragraph No. 8 of the affidavit-in-reply filed by the Headmaster of the concerned school.

4. We have no doubt that Covid-19 pandemic has affected the entire world. People from the middle class and the lower middle class were affected the most. Several people lost their jobs and many families could not support the daily family needs and expenses. This has been unprecedented and in unprecedented times people have suffered to quite an extent. This petition is one example of such sufferance. However, since the management is now at liberty to recover the fees in view of the restrictions having been lifted by the State Government and as they are expected to recover the outstanding fees in a staggered manner, the grievance of these petitioners would stand satisfied by March 2023.

5. Considering the above, we do not find that it would be appropriate for us to issue some orders to the respondent- Management in the face of there being no allegations of nepotism and favoritism. Even the affiant Headmaster himself is drawing 50% salary as like the petitioners.

6. As such, in view of the statement made by the management that the arrears of fees would be recovered and arrears of the salaries would be paid, this petition is disposed off.

(S.G. DIGE)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

mtk