

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

995 WRIT PETITION NO.3290 OF 2022

**RAJARSHRI SHAHU COLLEGE OF COMPUTER SCIENCE
OSMANABADTHROUGH ITS PRINCIPAL ANILSANDIPAN NIKAM
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr. S.A. Wakure
AGP for Respondent Nos. 1 & 5 : Mr. S.G. Sangle
Advocate for Respondent Nos. 2 to 4 : Mr. K.M. Suryawanshi

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**CORAM : RAVINDRA V. GHUGE &
ARUN R. PEDNEKER, JJ.**

DATED : SEPTEMBER 8th, 2022.

PER COURT :

1. This matter is mentioned from the daily board, dated 8th September, 2022, at 2.30 p.m.

2. The petitioner submits that prayer clause 'B' to the extent of the first part is not being pressed and the same may be deemed to be given up. The petitioner would only pray for direction to the respondents to consider the representations dated 2.11.2015 and 11.12.2018. He further submits that the **order passed by this Court, on 5.5.2022 in Writ Petition No. 9636/2021 filed by Ahilyadevi Shikshan Prasarak Mandal and others Vs. The State of Maharashtra and others**, can be made applicable to this case. The said order reads as under :-

"3. The learned Advocate for the petitioner draws

our attention to a communication dated 27.04.2018 issued by the Vice Chancellor to all the Principals, Directors of the affiliated colleges and deemed Universities thereby permitting such educational institutions to charge fees on semester basis.

4. The impugned communication by the Assistant Commissioner, Social Welfare, Jalna/respondent No.5, indicates that the present petitioner has been disallowed from charging fees on semester basis since he was not party to WP No.2594/2016."

3. In view of the above, this petition is partly allowed in terms of prayer clause 'A', which reads as under :-

A] By issuing the writ of Certiorari or any other writ in the like nature, this Hon'ble Court may kindly be pleased to quash and set aside the impugned Circular Letter / Order No. Syllabus Department/KVM Fees / Ordinance 1/2015-16/15042 - 15441 dated 20.01.2016 issued by Director, Board of Colleges and University Development Dr. Babasaheb Ambedkar Marathwada University, Aurangabad."

4. In addition to the above, the representations of the petitioner, dated 2.11.2015 and 11.12.2018 would be considered, on their own merits, by respondent No. 5.

[ARUN R. PEDNEKER J.]

[RAVINDRA V. GHUGE, J.]