

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

919 WRIT PETITION NO.1209 OF 2021

**AJEET BHAUSAHEB JAGDHANE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr. S.K. Chavan
AGP for Respondents/State : Mrs. M.A. Deshpande

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 26.07.2022.

PER COURT :

We have heard the learned advocate for the petitioner and the learned A.G.P

2. The issue seems to be pertaining to scholarship/reimbursement of fees to be paid/made over to the students from Scheduled Caste who have undergone vocational training courses recognized by the Government, undertaken by the respondent No. 6-Board whose nomenclature is now changed as Maharashtra State Board of Skill Development Examination.

3. It appears that by a circular of the year 2013, it was resolved to pay scholarships to such students commensurate with the fees paid by them. It appears that by a recent government resolution dated 19.04.2021, the government resolution dated 19.03.2013 has been superseded and the students undertaking a course of less than two years are held to be not eligible to any scholarship or reimbursement of tuition fees/examination fees. Pertinently, there is yet another government resolution of the year 04.03.2014 recognizing the fact that the scholarship could not be paid since there was no approved fee structure for such courses and therefore for the

time being only the tuition fees with the existing rate would be refunded.

4. In Writ Petition No. 1270/2019 by the order dated 08.02.2019 this Court had directed the respondent No. 1 therein, stated to be the Principal Secretary, to take a decision on a similar request, within 20 weeks. However, it appears that instead of the Principal Secretary, the Assistant Commissioner Social Welfare, Beed took a decision communicated to the petitioner therein who is none other than the petitioner No. 1 before us on 28.10.2020, stating that since some students from unrecognized institutes had started claiming scholarship it had become difficult to pay it.

5. One cannot comprehend the situation, as to how in spite of having taken a decision to pay scholarships and also having made some decision interregnum to atleast reimburse the fees, steps are not being taken to pay such students either the scholarship or to reimburse the fees.

6. We cannot permit the State to adopt such indifferent approach. If it is really interested in paying scholarships to the students belonging to the scheduled caste undertaking vocational training courses of two years and upwards, it should, simultaneously, take steps to regulate the fees of all the institutes imparting such courses, if it is the only difficulty being faced by the State Government to pay the scholarships.

7. Pertinently, in spite of a direction by this Court, in stead of the Principal Secretary the decision was taken by an Assistant Commissioner. We hope and trust that the State Government would address the issue with equal seriousness. We, therefore, feel it appropriate and direct the Chief Secretary to take the decision by taking assistance of his subordinates from all the departments on the lines indicated herein above and commensurate with the directions issued by this Court in earlier Writ Petition No. 1270/2019. The decision shall be take within twelve weeks.

8. We further direct that after the decision is taken, all the students

including the petitioners herein and similarly placed other students would be paid either the scholarship or would be reimbursed the tuition fees paid by them, as the case may be, within twelve weeks thereafter.

9. With the above directions, the writ petition is disposed of.

(SANDEEP V. MARNE J.)

(MANGESH S. PATIL, J.)

mkd/-