

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3819 OF 2022
ALONGWITH
INTERIM APPLICATION NO. 9982 OF 2022
IN
WRIT PETITION NO. 3819 OF 2022

Navin Achhra and Ors.

...Petitioners

vs.

The State of Maharashtra
Through the Dept. of Education and
Sports and Ors.

...Respondents

Dr. Uday Warunjikar a/w Adv. Meenal J. Chandnani, Manish Wadhava
i/by J. S. Chandnani and Associates - Advocate for the Petitioners
Mrs. S. S. Bhende - AGP for the Respondent-State.

CORAM : S.V. GANGAPURWALA AND
S. M. MODAK, JJ.

DATE : 13th JULY, 2022

P. C. :-

1. The grievance is about the increase in fees by the Respondent No. 4.
2. This Court had asked the learned AGP as to whether the Committee under the Maharashtra Educational Institutions (Regulation of Fee) Act, 2011 is functional. The learned AGP has placed on record the Government Resolution dated 26/02/2020 and further on instructions submits that the Committee is functional.
3. In light of that we pass the following Order:

(i) The Petitioner shall make an application within eight days from

today with the Committee constituted under the provisions of Maharashtra Educational Institutions (Regulation of Fee) Act, 2011.

- (ii) In the interregnum, the Petitioner shall deposit the last year fees and the current year fess with 15 % increase of the last year.
- (iii) The said deposit shall be subject to the decision of the Committee.
- (iv) The parties will abide by the decision of the Committee or further decision by the Higher authority.
- (v) Upon the Petitioner depositing the amount as directed above, the facilities as are provided to all other students should be provided to the Petitioner.
- (vi) The Committee shall endeavour to decide the same expeditiously, preferably within four months.

4. Dr. Udy Warunjikar, learned counsel for the Petitioner, on instructions, submits that the Petitioner at present will not agitate the prayer clause of the Parent Teacher Association, the liberty be granted to assail the same in the appropriate proceedings. Leave is granted. It is made clear that all contention of all parties are kept open.

5. Writ Petition is disposed of. No costs.

6. Accordingly, Interim Application is also disposed of.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA,J.]