

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT NAGPUR, NAGPUR.

...

WRIT PETITION NO. 1833 of 2022

Mr. Aditya s/o Yashwant Nannaware
Aged about 23 years, occu: student
R/o Hanuman Nagar,
Church Road, Tukum, Chandrapur
Dist.Chandrapur.

..**Petitioner**

versus

1. Registrar
Sant Gadgebaba University
Amravati Campus Area,
Near Tapovan Gate
Dist.Amravati- 444602.

2) Jawaharlal Darda Institute of
Engineering and Technology,
MIDC Lohar, Yavatmal
Tah. & Dist. Yavatmal.4445001.

..**Respondents**

...

Mr. Ananta Ramteke, Advocate for Petitioner
Mr. J.B. Kasat, Advocate for Respondent No.1
Mr. F.T. Mirza, Advocate for Respondent No.2.

...

CORAM: SUNIL B.SHUKRE AND
G.A. SANAP,JJ.

DATED : 4th July, 2022.

ORAL JUDGMENT: (PER SUNIL B. SHUKRE, J.)

Rule. Rule, made returnable forthwith. Heard finally by consent.

2. It appears that the issue is not of non-submission of the tribe validity certificate but, basically is of non-payment of College fees by the petitioner for some period of time. It is the contention of the petitioner that the petitioner who got admission to the engineering course (i.e. B.E. Electrical) run by the Respondent No.2-Institute in the year 2016 on a reserved seat, could not submit the validity certificate within the stipulated time and, therefore, the petitioner was, with the intervention of this Court, permitted to continue the said course on payment of regular fees. However later on, as the petitioner was issued tribe validity certificate by the competent scrutiny committee, the petitioner did not pay the college fees.

3. It is the submission of the College-management that if the arrears of fees are paid by the petitioner, all the documents including marks-sheet of 8th semester (BE Electrical) Summer, 2020 shall be issued to the petitioner.

4. Considering the fact that the payment of regular college fees is a matter entirely between the petitioner and the College-

management, the issue of payment of fees and reimbursement of the fees will have to be sorted out by the petitioner with the College-management as well as the State Government.

5. Having taken such a view of the matter, we direct the Respondent No.2 to release the marks-sheet of the 8th semester B.E. Summery 2020 (Regular) and leaving certificate of the examination taken by the petitioner, immediately upon payment of arrears of fees by the petitioner. We further direct, upon payment of regular fees, the provisional degree certificate be issued by the University in favour of the petitioner within a period of four weeks after receiving confirmation from the respondent No.2-Institute regarding payment of arrears of fees.

6. Liberty is granted to the petitioner to pursue remedy regarding reimbursement of the fees before the appropriate authority.

7. The Writ Petition is allowed accordingly. Rule is made absolute in the aforesaid terms. No costs.

[G.A. SANAP,J.]

[SUNIL B. SHUKRE, J.]

sahare