

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 CIVIL APPLICATION NO.2474 OF 2023
IN PIL/98/2021

SHRI SAIBABA SNSTHAN SHIRDI THROUGH ITS CHIEF
EXECUTIVE OFFICER RAHUL DASHRATH JADHAV
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY

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Advocate for Applicant : Mr. A.S. Bajaj
Government Pleader for Respondent No.1: Mr. D.R. Kale
Advocate for petitioner in writ petition : Mr. Ajinkya Kale h/f M/s.
Talekar and Associates

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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 3rd MARCH, 2023.**

PER COURT :-

1. The applicant Shree Saibaba Sansthan, Shirdi has put forth
prayer clause B as under:-

“B. The applicant may kindly be permitted to implement
the Resolution No. 73 passed by the Adhoc
Committee in their meeting held on 20.01.2023 for
granting approval to reimbursement of Education fees
of the wards of permanent employees of Shri Saibaba
Sansthan Trust by spending the approximate amount
of Rs.70,00,000/- for the year 2022-23.”

2. This Court has passed an order on 4.12.2015 in civil
application No. 15674 of 2015 in P.I.L. No. 18 of 2011, in identical set

of circumstances, as under:-

“1. Vide the present application, the committee seeks permission to pay its employees by way of reimbursement the educational fees spent by the employees for education of their wards out of budgetary provision made for that purpose for the year 20152016. The order dated 16th July, 2009 and 10th October, 2015 is pointed out to us, which is issued by the Government and the Education Officer. It is submitted that the said reimbursement of fees is to be made to the wards of the employees of the trust who have taken admission on merit, through cap round and in Government/Government aided institution.

2. Considering the above, the present application is allowed in terms of prayer clause “B” with a rider that the said reimbursement of fees is allowed in respect of wards of the employees who have been admitted on merit, through cap round in a Government/Government aided institution and on merit in the Government/Government aided institutions in 10th Standard English medium and I.I.T. Course.

3. Civil Application is accordingly disposed of.”

3. The learned advocate representing the Applicant has placed before us a compilation of documents with pagination from 15 to 27. He annexed the first decision taken by the Sansthan on 9.5.1996 which was on the basis of the Resolution passed on 21.04.1996. He also points out that the Chairman of the Adhoc Committee, who is the learned Principal District and Sessions Judge,

Ahmednagar, has also cleared the said proposal.

4. Considering the above, this application is allowed.

5. We make it clear that the reimbursement of the educational fees of the wards of permanent employees of the Sansthan, shall be permitted only in respect of those wards who have been granted admission on merits score through the prescribed CAP rounds of admissions, conducted by the Government or the admission authority, in Government/Government aided institutions for the IIT Course, or in the 10th standard English medium course.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

rlj/