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

59 WRIT PETITION NO.3774 OF 2023

FRANSALIAN SCHOOL OF EXCELLENCE, THROUGH ITS
PRINCIPAL ARUN POULOSE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

....

Mr Cedric D. Fernandes, Advocate for Petitioner;
Mr S. P. Tiwari, A.G.P. for Respondents/State

**CORAM : RAVINDRA V. GHUGE
AND**

SANJAY A. DESHMUKH, JJ.

DATE : 3rd April, 2023

PER COURT:

1. Leave to add the 'Divisional Fee Regulatory Committee' as Respondent No.4. Addition be carried out forthwith.

2. The Petitioner has received a notice from the Education Officer (Secondary), Zilla Parishad, Aurangabad, dated 13/03/2023. A short reply dated 23/03/2023 has been tendered. This was followed by a long letter/notice issued by the same Education Officer, dated 24/03/2023, without considering the reply of the Petitioner, in which, the Petitioner has contended that

(2)

it is only the Divisional Fee Regulatory Committee, which is authorized under the Maharashtra Fee Regulation Act, 2011, to enquire, investigate and look into the matters related to fee hike in the schools.

3. In view of the above, this petition is disposed off as the hearing before the Divisional Fee Regulatory Committee, having been posted on 05/04/2023.

4. We would expect the Divisional Fee Regulatory Committee, to consider all the grounds raised by the present Petitioner. Needless to state, the two notices, issued by Respondent No.3, dated 13/03/2023 and 24/03/2023, would be subject to the decision of the Committee, and no coercive action would be taken against the Petitioner pursuant to the last notice dated 24/03/2023, until the Committee pronounces its decision.

(SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)

sjk