



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

WRIT PETITION NO. 1790 OF 2024

Dr. Ganesh Gurupadappa Savalge and 13 others.

VERSUS

The State Of Maharashtra Principal Secretary Medical
Education And Drug Department and 3 others.

Advocate for the Petitioner : Mr. Mule Swapnil Madanrao

AGP for Respondents : Ms. R.P. Gour

**CORAM : SMT. VIBHA KANKANWADI &
S. G. CHAPALGAONKAR, JJ.**

Dated : April 01, 2024

FINAL ORDER :-

1. Not on board. Upon mentioning, taken on board.
2. All these petitioners are the students of the Aurangabad Government Medical College and Hospital (GHATI). They belong to the Economically Backward Classes (EBC). They were admitted on their merit score in the said Government Medical College. They are eligible for the refund of the fees paid, since they belong to the EBC. Their representation dated 14.09.2017, addressed to the Dean of the Medical College is said to be pending.
3. The learned Assistant Government Pleader submits that the pending representation needs to be decided by the respondent Nos.1 and 2. The respondent No.3/Dean of the College has already forwarded a communication dated 23.01.2018 to the respondent No.2, wherein the reference of the petitioner's representation dated 14.09.2017, is set out.

4. In view of the above, this petition is **disposed of**. We expect respondent Nos.1 and 2 to consider the communication dated 23.01.2018, forwarded by the Dean of the Medical College to the respondent No.2, as expeditiously as possible and preferably within a period of four (04) weeks from today.

5. Before we part, it has been brought to our notice that earlier also similarly situated students had approached this Court by filing Writ Petitions i.e. Writ Petition no.11286 of 2022, 10062 of 2023 and 10063 of 2023. These petitions came to be disposed off on 23.11.2022 and 19.8.2023 respectively as similarly as paragraph no.3 here-in-above. However, it is stated that such representation is in respect of around 274 students. When even communication dated 23.1.2018 forwarded by the Dean of the Medical College to the Respondent no.2 is in respect of all the students; then, the respondent nos.1 and 2 cannot restrict themselves to decide it in respect of the petitioners only who have approached this Court and in whose matters the orders have been passed once all said communications dated 23.1.2028 are based on the representation dated 14.9.2017 addressed to the Dean of the Medical College should be decided/considered. We are giving this further directions in order to avoid possible similar writ petitions in future by other students/petitioners. Therefore, in addition to the directions given in paragraph no.3, We direct the respondent nos.1 and 2 to consider the communication dated 23.1.2018 forwarded by the Dean of the Medical College to the respondent no.2 within the aforesaid period in **respect of all similarly situated students** or **the persons who had made said representation** and in respect of whom said communication dated 23.1.2018 was forwarded.

6. Learned advocate for the petitioners also makes a statement that earlier to that one more representation was made on 14.9.2017 by these two petitioners claiming benefit of 'PTC' Scheme.

7. It has been pointed out by the learned AGP that in respect of petitioner nos.12- Dr. Maroti Subhashrao Patil and 13- Dr. Shivprasad Madhavrao Biradar, the representation was not under 'EBC' Scheme, but it was under 'PTC' scheme and the representation was given on 1.12.2023.

8. We expect that case of the petitioner nos.12 and 13 would be then decided under 'PTC' Scheme and again we would say taking into consideration representation dated 14.9.2017 that some other students have also claimed benefit under 'PTC' and 'STC' scheme, their cases should also be considered by the respondent nos.1 and 2 within said stipulated period.

(S. G. CHAPALGAONKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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aaa/-