



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

33 WRIT PETITION NO. 6002 OF 2024

MADHURI SANDIPAN MALI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

...
Advocate for petitioner : Mr. G.J. Kore
AGP for the respondent – State : Mr. K.N. Lokhande
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 24 JUNE 2024

PC :

Notice. Learned AGP waives service for all the respondents.

2. The petitioners having completed the courses even prior to the subsequent resolution dated 16-03-2021 resulting in modification of the original scheme dated 19-08-1995, so as to include the words 'as per the schedule to be determined for providing aid', that resolution ex facie having been passed after the petitioners have passed out, it cannot be made applicable retrospectively.

3. If at all the petitioners' proposals seeking freeship have been moved already or otherwise, they having completed the courses long back, it would always be open for respondent no. 3 – Dean and

the other respondents to process the individual claims independently, however, withholding of the documents / certificates for that reason is not legally tenable.

4. We allow the writ petition and declare that the government resolution dated 16-03-2021 (**Exhibit – D**) will not be applicable to the petitioners' cases.

5. Respondent no. 3 shall immediately return all the documents / certificates to the petitioners within two weeks. It is made clear that he may independently undertake the process for claiming the fees qua each of these petitioners.

6. The petitioners shall submit an undertaking before the Registrar (Judicial) of this Court, to pay necessary fees to respondent no. 3 – College, if and when so directed by this Court.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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