



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

954 WRIT PETITION NO. 4879 OF 2025

VIVEKANAND SAMARTH DATAL

VERSUS

THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY
MEDICAL EDUCATION AND DRUG DEPARTMENT

...

Advocate for the Petitioner : Mr. Swapnil Madanrao Mule.
A.G.P. for Respondent/State : Ms. A.S. Mantri

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WRIT PETITION NO. 3983 OF 2025

DR. RATNADEEP RAMESHWAR CHAVAN

VERSUS

THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY
MEDICAL EDUCATION AND DRUG DEPARTMENT

...

Advocate for the Petitioner : Mr. Swapnil Madanrao Mule.
A.G.P. for Respondent nos. 1 to 4/State : Ms. A.S. Mantri

CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.
DATE : 09.04.2025

PER COURT :

Writ Petition No. 3983/2025 is not on board. On a request, taken on board.

2. Heard learned counsel for the petitioners.
3. The petitioners are the students of respondent No.3/College, who wish to take benefit of Government Resolution dated 19.08.1995. They are seeking direction to consider their representations which are pending before the respondents/authorities.
4. The petitioners are the students and they claim to be eligible for the free-ship under the policy of the Government. They have made individual as

well as joint representations to the respondents/authorities for reimbursement of the tuition fees which some of them have already paid. The representation dated 14.09.2017 was made by them to respondent No.3. Vide covering letter dated 23.01.2018, the proposal of the petitioners has been forwarded by respondent No.3 to respondent Nos.1 and 2. The proposal has not been considered till date.

5. Another grievance of the petitioners is that documents of few of them have been withheld by respondent No.3/College.

6. Learned AGP submits that the direction can be issued to respondent Nos. 1 and 2 to consider claims of individual petitioners on their own merits.

7. We find that issue involved in the writ petitions is no more *res integra*. Consistent view has been taken by the co-ordinate benches. Few such decisions have been placed on record. We propose to follow the same course and the reasoning as has been done in writ petition No.969 of 2017, decided on 11.04.2018 as well as writ petition No.1790 of 2024, decided on 01.04.2024. Respondent No.3/authority cannot withhold the documents for the recovery of the tuition fees from the students. The petitioners are justified in contending that petitioner Nos. 2 to 40 in Writ Petition No. 4879/2025 and petitioner Nos. 1 to 10 in Writ Petition No. 3983/2025, are entitled to receive the documents. In that view of the matter, we pass the following order:

ORDER

(i) Writ petitions are partly allowed.

(ii) The proposal which is forwarded vide covering letter dated 23.01.2018 by respondent No.3 to respondent Nos.1 and 2 shall be considered on its merits, and in accordance with law, as well as the scheme prevailing.

(iii) The decision shall be taken within six (6) weeks from today.

(iv) Respondent No. 3 shall return the documents and issue necessary certificates to petitioner Nos. 2 to 40 in Writ Petition No. 4879/2025 and petitioner Nos. 1 to 10 in Writ Petition No. 3983/2025, forthwith.

(PRAFULLA S. KHUBALKAR J.)

(MANGESH S. PATIL, J.)

mkd/-