



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6090 OF 2025

1. Dr. Gayatri Vishnu Vetat
 2. Dr. Vaishnavi Gangadhar Gadam
 3. Dr. Sagar Kishor Bachhav
 4. Dr. Kazi Saqlain Danish Nihal Ahmed
 5. Dr. Saurabh Dayandeo Nakhate
 6. Dr. Aniket Ankush Kumbhar
 7. Dr. Rupali Dadasaheb Patare
 8. Dr. Tejaswini Kashinath Pawar
- ... PETITIONERS

VERSUS

1. The State of Maharashtra
Through Principal Secretary,
Medical Education and Drug Department,
9th Floor, hall No.1, Gokuldas Tajpal
hospital Bulding, Lokmanya Tilak Road,
Mantralaya, Mumbai-400001.
 2. Directorate of Medical Education
and Research, Mumbai, through its Director,
4th Floor, Govt. Dental College and Hospital,
St. George's Hospital campus, Fort, Mumbai- 400001.
 3. Dean,
Government Medical College and Hospital,
Near Paan Chakki, Aurangabad-431004.
 4. Joint Director,
Higher Education, Aurangabad
Near to Devgiri Mahavidhayala.
Aurangabad- 431001
- ... RESPONDENTS

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Advocate for the Petitioners : Mr. Swapnil Madanrao Mule
AGP for Respondents: Mr. VM. Kagne

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CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

DATE : 06.05.2025

PER COURT:

Heard learned counsel for the petitioner.

2. 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.

3. 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 representations dated 14.09.2017 and 20.07.2020 were 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.

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

5. 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.

6. We find that issue involved in the writ petition 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. 1 to 8 in this writ petition, 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. 1 to 8 forthwith.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)