



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7975 OF 2025

1. Dr Ayesha Samar Sheikh Ateeque Ahmed
Age:- 23 years, Occu:- Doctor,
R/o.Plot No. 111, Lane No.4,
Near Promise stationary,
Asifiya colony,
Dist. Aurangabad -4310 001.
2. Dr Kasturi Aniruddha Brahme
Age:23 years, Occu:- Doctor,
R/o.Plot No 3 Madhumalati Apartment
Samarat Nagar
Dist Dhule 424001
3. Dr Pravara Prasanna Deshpande
Age:23 years, Occu:- Doctor,
R/o.Kasarwadi Road sahayadri
Indria Nagar Barshi
Dist Solapur 413401.
4. Dr Rutuja Sunilkumar Solunke
Age:24 years, Occu:- Doctor,
R/o.Sharda Nagar
Tq Ambejogai Dist Beed 431517
5. Dr Rucha Shailesh Athalye
Age:23 years, Occu:- Doctor,
R/o.Shri Yash Ganesh Nagar Jalgaon
lashkarwadi, Dapoli,
Dist Ratnagiri 415712
6. Dr Gaurav Surendrapratap Prajapati
Age:25 years, Occu:- Doctor,
R/o. BB 108 Radha Govind Park
Uttan Road, Near Police Station
Bhayandar (WEST) Dist Thane 401101.

... PETITIONERS

V/s.

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,
Dr Shankarrao Chavan Government Medical College,
Vishnupuri Nanded -431004.
4. Joint Director,
Higher Education, Aurangabad
Near to Devgiri Malhavidhayala.
Aurangabad- 431001.

... RESPONDENTS

**AND
WRIT PETITON NO. 7977 OF 2025**

1. Dr Rajkamal Santram Gaware
Age:- 25 years, Occu:- Doctor,
R/o. Selu, Ta Wasi,
Dist Osmanabad-413507
2. Dr. Ashish Ramkishan Musande
Age:- 23 years, Occu:- Doctor,
R/o.At Post: Swaargaon pir
Tq Mukhed, Dist Nanded-431715
3. Dr.Vivek Dhananjay Purane
Age:24 years, Occu:- Doctor,
R/o.Siddhivinayak Nagar,

Tembhurni Dist.Jalna-431208

4. Dr.Abrar Samad Shaikh
Age:28 years, Occu:- Doctor,
R/o.Hashami Nagar,
Ausa, Dist. Latue -413520
5. Dr Kranti Sunil Jadhav
Age:- 25 years, Occu:- Doctor,
R/o.Shilkshak Kolni Patoda,
Dist Beed- 414204
6. Dr Kiran Tukaram Waybhat
Age:24 years, Occu:- Doctor,
R/o.No 6 Rushikesh Sarda Residency,
Mondha Road, Dist Beed 431122
7. Dr Harshal Bhagwat Morey,
Age:25 years, Occu:- Doctor,
R/o. At Ghoti Po Haral,
Ta Raisod, Dist Washim-444510
8. Dr Shivprasad Gangadhar Sakhare
Age:26 years, Occu:- Doctor,
R/o. At Post Hayatnagar,
Dist Hingoli-431512
9. Dr Dnyaneshwari Nandalal Bhandari
Age:24 years, Occu:- Doctor,
R/o.At Post Laul, Tq Majalgaon,
Dist Beed 431131.
10. Dr Jayant Ashok Wadekar,
Age: years, Occu:- Doctor,
R/o At Mangu Jalgaon,
Dist. Jalna – 431 204.

... PETITIONERS

V/s.

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 Malhavidhayala.
Aurangabad- 431001.

... RESPONDENTS

...
Mr. Swapnil Madanrao Mule, Advocate for the Petitioners
Ms. S.S. Joshi, AGP for the Respondent/State
...

**CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.**
DATE : 4th July, 2025

ORAL JUDGMENT (Per: Manish Pitale, J.):-

1. Rule. Rule made returnable forthwith and heard finally with
the consent of the parties.
2. The Petitioners in these petitions are seeking relief identical to
the relief granted to the Petitioners in Writ Petition No.6090/2024 as per
order dated 06.05.2025.

3. We have examined the documents on record and we find that the Petitioners herein are also identically situated and therefore these petitions can be conveniently disposed of by following the said order passed by this Court.

4. In the order dated 06.05.2025 passed in Writ Petition No.6090/2025, it was held as follows:

“ *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.”*

5. The learned AGP waives notices in both these petitions.

6. Since we have reached the conclusion that the Petitioners herein are also identically situated, these petitions are also partly allowed in the following manner:

ORDER

- (i) Writ Petitions are partly allowed.
- (ii) The representations made on behalf of the Petitioners in Writ Petition no.7975/2025 on 20.06.2025 and by the Petitioners in Writ Petition No.7977/2025 on 14.09.2017 and 20.07.2020 shall be considered by the Respondent No.3 on its merits, and in

accordance with law, as well as the prevailing scheme.

- (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 Petitioners in both the petitions forthwith.
- (v) Accordingly, Rule is made partly absolute in above terms.

[Y.G. KHOBRAGADE, J.]

[MANISH PITALE, J.]

mub