

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6765 OF 2018**

Suman Sachin Jain and Ors.Petitioners

Versus

The State of Maharashtra and Ors.Respondents

**WITH
CIVIL APPLICATION NO.2127 OF 2018
IN
WRIT PETITION NO.6765 OF 2018
WITH
WRIT PETITION (ST) NO.209 OF 2021
WITH
WRIT PETITION (ST) NO.215 OF 2021
WITH
WRIT PETITION NO.1034 OF 2022
WITH
WRIT PETITION NO.3358 OF 2025
WITH
WRIT PETITION NO.7428 OF 2024
WITH
WRIT PETITION (ST) NO.6104 OF 2022
WITH
WRIT PETITION (ST) NO.6144 OF 2022
WITH
WRIT PETITION NO.6767 OF 2018
WITH
WRIT PETITION NO.12259 OF 2024
WITH
WRIT PETITION NO.12204 OF 2024
WITH
WRIT PETITION NO.12840 OF 2024
WITH
WRIT PETITION NO.14887 OF 2023
WITH
WRIT PETITION NO.14889 OF 2023
WITH
WRIT PETITION NO.6080 OF 2021
WITH
WRIT PETITION NO.6082 OF 2021
WITH**

WRIT PETITION NO.6081 OF 2021
WITH
WRIT PETITION NO.4410 OF 2024
WITH
WRIT PETITION NO.14687 OF 2023
WITH
INTERIM APPLICATION NO.14766 OF 2024
IN
WRIT PETITION NO.14687 OF 2023
WITH
WRIT PETITION NO.10693 OF 2022
WITH
WRIT PETITION NO.19391 OF 2024
WITH
WRIT PETITION NO.19392 OF 2024

Mr. Suresh Pakale, Senior Advocate a/w. Mr. Nilesh Desai for the Petitioners in WP/6765/2018.

Mr. Vishwajeet Sawant, Senior Advocate i/b. Mr. Nitin Dhumal for Respondent Nos.6 to 14 in WP/6765/2018.

Mr. Rajendra Anbhule a/w. Ms. Nisha Ahire and Ms. Pooja Patil for Respondent Nos.4 and 5 in WP/6765/2018.

Mr. Rui Rodrigues for Respondent No.3 UGC in WP/6767/2018 and WP/14889/2023.

Mr. Rahul Kamerkar a/w. Adv. Aparajita R. Jha for CBSE in WP/14887/2023, WP/6082/2021 and WP/14687/2023.

Ms. Smita Mane for the Petitioner in WP/19391/2024 and WP/19392/2024.

Mr. Pranav Bhoite for the Petitioner in WP/12259/2024, WP/12204/2024 and WP/12840/2024.

Mr. Vaibhav Ugale for the Petitioner in WP/1034/2022 and WPST/2739/2025.

Mr. Vaibhav Kulkarni for the Petitioner in WPST/7428/2024 and WP/3643/2025.

Mr. N.C. Walimbe, Addl. GP a/w. Ms. Priyanka Chavan, AGP for Respondent in WP/12840/2024..

Mrs. Anjali N. Helekar for Respondent No.3 in WPST/6104/2022, WPST/6144/2022, WP/12559/2024, WP/12204/2024, WP/12840/2024, WP/14889/2023, WP/4410/2024, WP/10693/2022, WP/19391/2024, WP/19392/2024 and for Respondent No.4 in WP/7428/2024.

Mr. V.M. Mali, AGP for the State in WP/6765/2018, CAW/2127/2018 and WP/3358/2025.

Mrs. P.M.J. Deshpande, AGP for the State in WPST/209/2021, WPST/215/2021 and WP/7428/2024.

Mrs. P.B. Chavan, AGP for the State in WP/1034/2022, WP/3358/2025 and WPST/6104/2022.

Mr. S.P. Kamble, AGP for the State WP/7428/2024, WPST/6104/2022 and WPST/6144/2022.

Mrs. D.S. Deshmukh, AGP for the State in WPST/6144/2022, WP/6767/2018, WP/12259/2024 and WP/12204/2024.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 12th MARCH, 2025

P.C. :-

1. These matters were heard extensively yesterday. A personal affidavit has been filed by Mr. Maruti Nivrutti Navale, Founder President of the Sinhgad Technical Education Society, dated 5th March, 2025. We were about to commence dictation of the order by which we were to take a strict view considering that outstanding amounts have not been paid to the Petitioners despite several orders passed by various Benches and granting various opportunities on each occasion. However, the learned Senior Advocate Mr. Sawant, appearing on behalf of the Institution, drew our attention to paragraph nos.24 to 27 of the affidavit dated 5th March, 2025, which read as under :

24) I respectfully and humbly submit that due to genuine financial difficulty particularly since the passing of order dt. 02.09.2024 the respondent society could not comply with the directions of this Hon'ble Court in time. This respondent humbly submits that now vide order dt.

10.02.2025 the Assistant Commissioner of Income Tax modified the attachment order, allowing the release of the accounts on the condition that 50% of credited amounts be mandatorily remitted to the department, while the remaining 50% could be used exclusively for operational and statutory obligations, including medical supplies, utility bills, and salaries.

25) I respectfully submit that the respondent society is expecting disbursement of a approximately Rs. 204 Cr. amount due and payable from the Social Welfare Department as well as DTE towards reimbursement of fees in respect of students admitted in the academic year 2024-25 as they have duly complied with all the compliances in that regard, and also from open-category students. The respondent STE sincerely begs to this Hon'ble Court that now in the changed circumstances, the respondent Society may be given one opportunity to comply with an order by paying the balance amount of Rs.16,34,09,239/- to the petitioner teachers till 31st March 2025 as and by way of last chance. more

26) I humbly beg to this Hon'ble Court to consider the totality of circumstances, this Hon'ble Court may take a lenient view in the matter and be pleased to grant one more opportunity to comply with an order of this Hon'ble Court by granting time to pay till 31st March 2025.

27) I Maruti Nivrutti Navale hereby give my personal undertaking that if the STES failed to pay Rs.16,34,09,239/- to the concerned petitioner teachers till 31st March.2025, then I personally undertake to pay Rs.16,34,09,239/- to the petitioner teachers till 10th April 2025.

2. In view of the above averments and especially the plea put forth in paragraph no.26 and the undertaking put forth in paragraph no.27, we called upon the learned Senior Advocate Mr. Pakale and colleague learned Advocates appearing on behalf of the Petitioners to reflect on the said paragraphs and inform the Court as to whether they are willing to wait for some time in the light of the affidavit undertaking.

3. Today, the learned Advocates for the various Petitioners submit that by way of a last chance and a last hope, they are willing to wait till 31st March, 2025. Whatever calculations are to be made and whether or not any funds would be received from the Government, they expect a major portion of the dues to be cleared by 31/3/2025.

4. The learned AGP submits that the contents of paragraph no.24 reproduced above, is half truth. He tenders a chart of payments made by the Government to the various Institutions under the umbrella of Sinhagad Technical Education Society. A ready reference chart is tendered to indicate the quantum which has been disbursed to the said Institutions. The said chart is taken on record and marked as '**X-1**' for identification.

5. In view of the above, we are listing these Petitions on 1st April, 2025 at 2.30 p.m.

6. We make it clear that since we have recorded the extensive submissions of the parties and were about to commence the dictation of the order, on 1st April, 2025, we would only consider the quantum of payments made and as to whether the payments indicate the bonafides of Mr. Navale. If we are not convinced, we would commence dictation of the order. We clarify that on 1st April, 2025, we would not be entertaining further excuses and we would only see whether payments are being made to the satisfaction of the Petitioners and to convince the Court of the bonafides of the Institution.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)