

S/L 5
11.06.2026
Court. No. 25
Sourav

WPA 23648 of 2025

Shubham Palit & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Soumya Majumder, Sr. Adv.
Ms. Biyanka Bhattacharya

...for the petitioners.

Mr. Sujit Sankar Koley

...for the respondent no. 5.

1. The petitioners have filed the present writ application praying for a direction upon the respondent authorities for refund of the fee of Rs. 1,21,750/- deposited towards the admission and other charges of the minor daughter of the petitioners for Class Pre-Primary – I of Primary section for academic session 2025-26 in Bharati Vidya Bhavan, Salt Lake City, Kolkata.
2. After admission of the minor daughter of the petitioners, the job location of the petitioner no. 1 was changed and informed to the school authorities that the petitioners are intending to withdraw the admission of their minor daughter and requested for refund of the amount deposited towards admission fee and other charges.
3. Learned counsel for the petitioners has filed the supplementary affidavit and brought some documents wherein it is mentioned that fee structure of the school for session 2025-26, there is no mentioning of the admission fee of the pre-primary section. But for the structure of the school for the session 2026-27, the admission fee is mentioned as Rs. 75,000/- which is non-refundable but the case of the petitioners is coming under the pay structure for the session 2025-26.

4. He further discloses the document wherein it is mentioned that the total yearly fees for B.A. (Hons.) and B.Com (Hons.) degree is Rs. 1,16,000/- but for the minor in the pre-primary section they have charged for admission fee of Rs. 1,21,750/-. The petitioner has also relied upon the CBSC guidelines wherein at Clause 7.4 , the refund of fees has been prescribed. By referring the said clause, the petitioner submits that in the event of a student discontinuing the studies or wishing to migrate to some other school, dues shall be collected only up to the month of discontinuation or migration and not up to the month in which the transfer certificate is applied for.
5. Learned counsel for the petitioners submits that only the petitioners have deposited the admission fee but the minor has not pursue the education in the said school and as such, he prays for refund of the total fee.
6. Learned counsel appearing for the school authority submits that there is no provision for refund of the admission fees. On instruction, learned counsel for the school authority submits that the school authority is ready and willing to return the amount of Rs. 60,000/- out of the total amount of Rs. 1,21,750/-.
7. Heard the learned counsel for the respective parties. Perused the materials on record.
8. This Court finds that for the admission of the minor in the pre-primary section, the petitioners have deposited an amount of Rs. 1,21,750/- being the admission fees but due to the change in location of job of the petitioner no. 1, the minor daughter could not continue her study in the said school.

9. Considering the above, this Court finds that after depositing of admission fee, the minor could not pursue her study in the said school and it is also not the case of the school authorities that in place of the said minor other student could not be admitted or the school authorities will suffer any financial loss. Thus, the school authorities, particularly the respondent nos. 4 and 5 are directed to refund an amount of Rs. 70,000/- out of total amount of Rs. 1,21,750/- in the account of the petitioner no. 1 within a week from the date of receipt of this order.
10. **WPA 23648 of 2025** is disposed of.
11. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)