

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

916 WRIT PETITION NO.3039 OF 2022

NEETA NAGNATH GHISEWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....
Advocate for Petitioner : Mr. D.S. Bagul h/f Mr. P.D. Bachate
AGP for Respondent Nos. 1 to 4: Mr. S.G. Sangle
Advocate for Respondent No.5 : Mr. G.K. Naik (Thigle)
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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 30th NOVEMBER, 2022.**

PER COURT :-

1. The issue involved in this petition is as regards the reimbursement of tuition fees as scholarship amount to the petitioner. The petitioner admittedly did not have Koli Mahadev - S.T. validity certificate at the time of seeking admission. She, therefore, paid the tuition fees. She received the validity certificate, pursuant to the judgment dated 10.07.2019, delivered by this court in writ petition No. 2938 of 2019. The invalidation of her claim was set aside. She, therefore, prays that the amount of tuition fees that she has deposited until she was granted validity certificate, will now have to be refunded to her.

2. Having considered the submissions of the learned advocates for the respective sides, we find that, it would be the State authorities which will have to take decision on the request of the petitioner. She

has already tendered a representation dated --/12/2021 to respondent No.2. She has also tendered representation dated 10.2.2020 to respondent No.5 college.

3. In view of the above, this petition is disposed off. We expect, respondent No.2 to consider the grievance of the petitioner and after verifying their records as well as validity certificate of the petitioner, respondent No.2 would pass an appropriate order with regard to the claim of the petitioner, for reimbursement of tuition fees. This exercise be completed on or before 31.01.2023.

4. Needless to state, if a favourable order is passed, the authorities would refund the amount deposited by the petitioner, as reimbursement, within 30 days from the date of the decision. In the event of an adverse order being passed, respondent No.2 shall assign reasons and serve a copy of the said order upon the petitioner, within 21 days from the date of it's passing. The petitioner would then be at liberty to avail of the remedy as is permissible in law.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

rlj/