

ITEM NO.29

COURT NO.3

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) NO(s).....OF 2017
Diary No(s). 41475/2017

(Arising out of impugned final judgment and order dated 29-11-2017
in WP No. 10927/2017 passed by the High Court Of Judicature at
Bombay)

SUCHETA DAS DAS & ORS. Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS. Respondent(s)

(IA No.139675/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.139676/2017-EXEMPTION FROM FILING O.T. and IA
No.139673/2017-PERMISSION TO FILE SLP/TP)

Date : 22-12-2017 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Vinay Navare, Adv.
Ms. Gwen Kartika, Adv.
Ms. Abha R. Sharma, AOR

For Respondent(s) Mr. Shyam Divan, Sr. Adv.
Mr. Jatin Zaveri, AOR
Mr. Amit Mehta, Adv.
Mr. Neel Kamal Mishra, Adv.
Mr. Rakesh Sinha, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Permission to file special leave petition(s) is granted.

We have heard learned counsel for the parties.

The question for consideration is whether there
should be a mechanism for hearing the affected students by
the Fee Regulating Authority constituted under Section 11

of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015. The Committee comprises of a retired Judge, an eminent educationist, a Chartered Accountant, a Cost Accountant, an expert in the field of professional education, Registrar of the University, Director (Technical Education), Director (Higher Education), Member Secretary of Maharashtra Council of Agricultural Education and Research and an Officer of the State Government not below the rank of the Joint Secretary.

Our attention has been drawn to the Minutes of the Committee wherein it has observed that the members of the Committee interacted with the faculty and the students, apart from examining the books of account and the physical infrastructure of the Colleges, before approving the fee structure.

We are of the view that the Committee ought to evolve a mechanism by which all the affected students are put to notice through the notice board of the concerned institutions and fix a particular date on which any aggrieved person can be heard by the Committee and/or present his or her view point by way of a representation. This may be done forthwith prospectively.

The Committee would be free to consider whatever issues are raised, and in particular, whether change of denominator every year should have bearing on the fee structure to be devised.

The special leave petition is disposed of with the above observations.

Pending application(s), if any, stand disposed of.

(DEEPAK MANSUKHANI)
AR-cum-PS

(PARVEEN KUMARI PASRICHA)
Court Master