IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.471 OF 2017

Indian Education Society and another — Petitioners
versus
State of Maharashtra and others — Respondents

Mr.A.G.Kothari with Ms.N.Menon for Petitioners.
Ms.A.S.Sahai for Respondent nos.5 to 10.
Mr.Abhay Patki, Additional Govt.Pleader for Respondent nos.1,3,4.

CORAM : SHANTANU S. KEMKAR AND
PRAKASH D. NAIK, JJ.

DATE : 20th March 2017

PC :

Heard learned counsel for the parties on the prayers of interim relief.

2. On 28th February 2017, we had stayed the operation and further proceedings of the order dated 20th January 2017 (Exhibit-T). We modify the said interim order by ordering that the Petitioner college shall be allowed to recover the fees as per PTA Resolution dated 12th February 2015, however, whatever fees the Petitioners has already recovered and would be recovering in terms of PTA Resolution dated 12th February 2015, shall be subject to the final out come of this petition and the Petitioners will have to refund the fees as may be held to be not recoverable from the students to them, in case the petition fails.

3. It is made clear that interim order staying further proceedings in pursuance to Exhibit-T shall continue till final disposal of the petition.

4. The State to file reply within four weeks.

5. List this petition for final disposal at the admission stage in July 2017.

(PRAKASH D. NAIK, J.) (SHANTANU S. KEMKAR, J.)