



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2543 OF 2021

Vishwaniketan Trust & Ors. ... Petitioners
Vs.
Higher and Technical Education Department
and Ors. ... Respondents

**WITH
WRIT PETITION (ST) NO. 302 OF 2021**

The Association of the Managements of
Agri. & Agri. Allied Colleges ... Petitioner
Vs.
Higher and Technical Education
Department ... Respondent

**WITH
WRIT PETITION (ST) NO. 304 OF 2021**

The Association of the Management of Polytechnics ... Petitioner
Vs.
Higher and Technical Education
Department and Ors. ... Respondents

**WITH
WRIT PETITION (ST) NO. 1484 OF 2021**

K.K.Wagh Education Society, Hirabai Haridas
Vidya Nagari & Ors. ... Petitioners
Vs.
Higher and Technical Education
Department and Ors. ... Respondents

**WITH
WRIT PETITION (ST) NO. 2504 OF 2021**

Shri Sairaj Shikshan Pratishthan and Anr.	... Petitioners
Vs.	
Higher and Technical Education Department and Ors.	... Respondents

**WITH
WRIT PETITION (ST) NO. 97149 OF 2020**

Association of the Management of Un-aided Engineering Colleges and Ors.	... Petitioners
Vs.	
Higher and Technical Education Department and Ors.	... Respondents

Ms. Gunjan Shah i/by Mr.S.R.Waghmare for the Petitioners in WPST No.1484/2021 & WPST No.97149/2020.
 Mr.A.G. Damle, Sr. Advocate i/by Mr.S.R. Waghmare for the Petitioners in WPST No.302/2021.
 Mr.S.R. Waghmare for the Petitioners in WP No.2543/2021, WPST No.304/2021 and WPST 2504/2021.
 Mr. A.I.Patel Addl. G.P. a/w Mr.N.C. Walimbe, AGP & Ms.K.N.Solunke, AGP for State in all six Writ Petitions.

**CORAM : R.D. DHANUKA &
ABHAY AHUJA, JJ.**

DATE : 22ND OCTOBER 2021

P.C. :

1. Pursuant to the order dated 7th October, 2021 passed by this Court, the State Government has deposited a sum of Rs.436.15 crores on the MahaDBT portal.

2. Ms. Shah, the learned counsel for some of the Petitioners states that out of the said amount, her client has received about Rs.72 crores and still has to recover substantial amount from the State Government.

3. The other Petitioners also appeared to have received certain amount out of that amount, viz., Rs.436.15 crores.

4. Mr. Patel, the learned Addl. GP has tendered the affidavit in reply affirmed on 22nd October, 2021, by Dr. Dhanpal Kamble, Deputy Director, Directorate of Technical Education, stating that a further sum of Rs.306.91 crores has been made available, which amount would be distributed automatically to the concerned student's or institute's bank account through online system. The said amount has been released by order dated 4th August, 2021 and has been made available for

disbursement of scholarship to the eligible economically backward students of the year 2019-20 and 2020-21, vide Government Resolution dated 4th August, 2021. The learned Addl. GP further states that the said amount would be available for disbursement and paid to the Petitioners and others in the ratio already decided, within ten days from today. The statement is accepted.

5. Insofar as the directions issued in Paragraph 4 of the said order in respect of release of fund of Rs.25.00 crores is concerned, the said amount also is available for distribution. The Petitioners have also received some amount out of the said amount of Rs.25.00 crores. The learned counsel for the Petitioners do not dispute this position.

6. Insofar as the amount of Rs.293.00 crores mentioned in Paragraph 6 of the said order is concerned, the learned Addl. GP, on instructions, states that another 30% from the funds budgeted for the year 2020-21 for VGNT would be available within four weeks from today for distribution amongst the Petitioners and others. The statement is accepted as and by way of undertaking to this court.

7. Mr. Damle, the learned senior counsel for the Petitioners in Writ Petition Stamp No.302 of 2021, Writ Petition Stamp No. 304 of 2021 and Writ Petition Stamp No.97149 of 2020 tendered draft amendment. A copy of the draft amendment is served upon the learned Addl. GP across the bar. Since the Writ Petitions are not admitted till date, we allow the Petitioners to carry out the amendment in terms of the draft amendment, which is marked 'X' for identification. Amendment to be carried out within one week from today. The Respondents would be at liberty to file additional affidavit in reply to the amended Petitions.

8. Ms. Shah, the learned counsel for some of the Petitioners states that some of the Departments have not filed affidavit in reply in these Petitions. If any of the Departments have not filed affidavit in reply, the same shall be filed within two weeks from today, with a copy to be served upon the Petitioners' advocate. The Petitioners are made clear that the further extension of time will not be granted.

9. Insofar as the other directions issued on 7th October, 2021 are concerned, the State Government to file an affidavit and update this Court with further steps that would be taken by the State Government. The said affidavit shall be filed within two weeks from today.

10. The Petitioners to prepare a fresh chart showing the amount already received and balance recoverable from the State Government, with advance copy to be served upon the learned Addl. GP before the next date.

11. Place the matter on board for admission on 22/11/2021.

(ABHAY AHUJA, J.)

(R.D. DHANUKA, J.)