

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 3021 OF 2020

(Unaided Schools Welfare Association vrs. Union of India and others)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.V.Manohar, Senior Advocate assisted by Shri V.S.Kukday, for
petitioner.
Shri Ashutosh M. Choudhari, Advocate h/f Shri U.G.Aurangabadkar,
A.S.G.I for respondent No.1
Shri D.P.Thakre, Addl.G.P for respondent nos.2, 3, 4 and 5

**CORAM :- SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.**

DATED :- 27.11.2020

Heard Shri Sunil Manohar, the learned Senior Advocate assisted by Advocate Shri V.S.Kukday, for the petitioner and learned Assistant Solicitor General of India through Advocate Ashutosh Choudhari for respondent No.1 and Shri Thakre, the learned Addl. Government Pleader for respondent Nos. 2, 3, 4 and 5, by waiving notice respectively on behalf of respondent No.1 and respondent Nos. 2, 3, 4 and 5.

Issue notice for final disposal at the admission stage to the respondent No. 6, returnable after three weeks.

Meanwhile, having considered the contentions raised on behalf of the petitioner that Division Bench at Principal Seat, Mumbai, in the bunch of writ petitions starting with WP-ASDB-LD-VC-100/2020,

has taken up the prima facie view that G.R. dated 08.05.2020 is without jurisdiction, there being no power vested in the Government to interfere with the affairs of the private unaided schools which are run on permanently unaided basis and that the schools are not insisting upon the payment of any fees by the students admitted under the provisions of the Right to Education Act, it is directed that until further orders, no coercive steps be taken against the petitioners, in relation to recovery of fees.

JUDGE

JUDGE

Rvjalit