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| 1 | ASHOK S.KINAGI   | <u>07/12/2021</u> |
|   | <p>Learned HCGP accepts notice for the respondent. Heard the learned Senior counsel Sri Udaya Holla for the petitioners and also the learned HCGP. The petitioners - Institutions are religious minority institutions and do not receive any aid from the Government. The petitioners - Institutions are undergoing 2nd term in the academic year 2021-22. In view of the impugned order dated 11.11.2021 issued by the respondent with regard to payment of 85% of tuition fee, there is a chaos and confusion in payment of fee by the parents for academic years 2020-21 and 2021-22. The order passed by this Court on 16.09.2021 in W.P.No.4818/2021 connected with other matters and also in view of the judgment passed by the Hon'ble Apex Court in the case of Indian School, Joghpur and another Vs. State of Rajasthan and others, the Schools were directed to collect the annual school fee (includes tuition fee, amenities, infrastructure, facilities, maintenance etc.,) as fixed for the academic year 2019-20, but has provided reduction of 15% on that amount in lieu of unutilized facilities by the students during the relevant period of academic year 2020-21. Hence, the impugned notification issued by the respondent is contrary to the law laid down by the Hon'ble Apex Court and by this Court in the aforesaid decisions. In view of the same, the petitioners have made out a prima-facie case for grant of interim order. Hence, there shall be stay of the impugned order vide Annexure-A till the next date of hearing, insofar as the petitioners - Institutions are concerned. Let the petition be listed in the month of January, 2022.</p> |                   |