

Court No. - 32

Case :- WRIT - C No. - 24988 of 2025

Petitioner :- Aanya Porwal And 239 Others

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Nipun Singh, Sumit Suri

Counsel for Respondent :- C.S.C., Santosh Kumar Singh

Hon'ble Chandra Dhari Singh, J.

1. The instant writ petition has been filed by the petitioners challenging the impugned notification dated 05.07.2025 issued by the respondent no.1, whereby enhancing the tuition fee of the students of M.B.B.S. course w.e.f. the academic session 2024-25 from Rs. 11,78,892/- to Rs.14,14,670/-.

2. Learned counsel appearing on behalf of petitioners submitted that the said notification dated 05.07.2025 issued by the respondent no.1 is arbitrary and without application of mind and contrary to the provision of Section 10 of U.P. Private Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Act, 2006, in short Act, 2006. It is vehemently submitted that the respondents while issuing the aforesaid notification have failed to consider the other miscellaneous charges which has already been enhanced during this Session and now again increase the tuition fee during mid-session without any reason or justification. It is further submitted that there was no occasion to enhance the fee of M.B.B.S. Course for the second time within a period of eight months particularly when the miscellaneous charges had already been deposited by the petitioners. It is further submitted that the petitioners have been granted admission in the institution i.e. respondent no.3 on the basis of fee structure provided by respondent no.3 College through its brochure, therefore, the huge enhancement of tuition fee during the mid-session has also created a serious financial burden on the parents of the petitioners. It is further submitted that Fee Regulatory Committee/respondent no.2 has increased the fee on the behest of order passed by the High Court of Allahabad at Lucknow Bench on the petition filed by the Institution without taking into consideration the entirety of the matter and burden forcing the students to deposit the huge fee in the mid-session deserves to be set aside as arbitrary, unjust and contrary to the statutory provision.

3. *Per contra*, learned counsel appearing on behalf of respondent no.3 vehemently opposed the instant writ petition and submitted

that impugned notification issued by respondent no.1 after taking into consideration all entirety of the matter and as per the provision of under Section 10 of the Act, 2006 and the Hon'ble Governor has already approved the fee structure as enhanced by the Committee. It is also submitted that committee has been constituted as per the Section 4 of the Act, 2006 in which Chairman may be the senior most officer of the State or Vice Chancellor of the Central University or a State University or a deemed to be University and two other Members having experience in matters of finance or administration. Therefore, there is no force in the arguments of learned counsel for the petitioners that while enhancing the tuition fee, no application of mind has been applied. There are no illegality or error in the impugned notification and the instant writ petition may be dismissed as devoid of any merits.

4. Heard learned counsel for the petitioners, Sri D. K. Singh, learned Standing Counsel appearing on behalf of State-respondents, Sri Santosh Kumar Singh, learned counsel appearing on behalf of respondent no.3 and perused the contents made in the writ petition.

5. Taking into consideration the submissions made by learned counsel for the petitioners as well as learned counsel for the respondent no.3 and the contents made in the writ petition, I am of the view that matter requires consideration.

6. All the respondents are represented by their respective counsel. They are directed to file short counter affidavits within two weeks. Rejoinder affidavit, if any, be filed within one week thereafter.

7. Put up on 17.09.2025 as fresh. Till then the operation of the impugned notification dated 05.07.2025, shall be kept in abeyance.

Order Date :- 13.8.2025

AKT

(Chandra Dhari Singh, J.)