



IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2024
(Arising out of SLP (C) No(s). 21782/2023)

SRUSTI ACADEMY OF MANAGEMENT Appellant(s)

VERSUS

THE STATE OF ODISHA & ORS. Respondent(s)

WITH

CIVIL APPEAL NO. _____ OF 2024
(Arising out of SLP(C) No(s) No. 21921/2023)

CIVIL APPEAL NO. _____ OF 2024
(Arising out of SLP(C) No. 21892/2023)

CIVIL APPEAL NO. _____ OF 2024
(Arising out of SLP(C) No. 22096/2023)

CIVIL APPEAL NO. _____ OF 2024
(Arising out of SLP(C) No. 1663/2024)

O R D E R

B.R.GAVAI, J

1. Leave granted.
2. The appeals challenge the judgment and orders dated 10.07.2023 and 06.07.2023 passed by the learned Division Bench of the High Court of Orissa at Cuttack, thereby the Division Bench of the High Court has upheld the recommendation dated

07.12.2022 of the Fee Structure Committee and the Notification dated 30.12.2022 issued by the State Government.

3. The perusal of the record would reveal that respondent-Fee Structure Committee had reduced the fees that the appellant(s) could charge to the students.

4. Indisputably, the said revision was made without giving an opportunity of being heard to the appellant(s).

5. It is a settled principle of law that any order inviting adverse civil consequences cannot be passed without adherence to the principles of natural justice. In any case, the relevant provision itself requires a hearing to be given to the institution(s) before a revision is made.

6. On this short ground, the appeals deserve to be allowed. The impugned judgment and orders dated 10.07.2023 and 06.07.2023 passed by the High Court and recommendation dated 07.12.2022 of the respondent-Fee Structure Committee and the Notification dated 30.12.2022 issued by the State government are quashed and set aside.

7. We clarify that for the next academic session, the respondent-Fee Structure Committee as well as State Government would determine the fee structure by following the procedure as set out under Sections 6 and 7 of the Orissa Professional Educational Institutions (Regulation of Admission & Fixation of Fee) Act, 2007 and the law laid down by this Court.

8. Needless to state that till the fees for the next academic session are redetermined, the appellant(s) would continue to charge the fees which existed before passing the impugned judgment and order.

9. Pending application(s), if any, stand(s) disposed of.

.....J
(B.R. GAVAI)

.....J
(K.V. VISWANATHAN)

New Delhi
December 03, 2024

ITEM NO.27

COURT NO.2

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 21782/2023

[Arising out of impugned final judgment and order dated 10-07-2023 in WP(C) No. 9686/2023 passed by the High Court of Orissa at Cuttack]

SRUSTI ACADEMY OF MANAGEMENT

Petitioner(s)

VERSUS

THE STATE OF ODISHA & ANR.

Respondent(s)

WITH

SLP(C) No. 21921/2023 (XI-A)

(IA No.200621/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 21892/2023 (XI-A)

(IA No.200536/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 22096/2023 (XI-A)

(FOR ADMISSION and I.R. and IA No.202594/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 1663/2024 (XI-A)

(IA No.4828/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 03-12-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s)

Mr. Ashok K. Parija, Sr. Adv.

Mr. Gaurav Khanna, AOR

Mr. Amritesh Mohanty, Adv.

Ms. Natasha Sahrawat, Adv.

Ms. Deepali Bhanot, Adv.

Mr. Rudraksh Pandey, Adv.

Mr. Gautam Barnwal, Adv.

Ms. Alisha Roy, Adv.

Mr. Sunil J Mathews, Adv.

Ms. Jyoti Rani, Adv.

Mr. Samanwaya Rautrey, Adv.
Mr. Rohit Singh, Adv.
Mr. Rajeev Singh, AOR

For Respondent(s)

Mr. Niranjan Sahu, AOR
Ms. Shivangi Gupta, Adv.

Mr. Dhananjaya Mishra, AOR
Mr. Navneet Dogra, Adv.

Mr. Shovan Mishra, AOR

Mr. Prakash Ranjan Nayak, AOR
Mr. Debasis Jena, Adv.
Mr. Animesh Dubey, Adv.

Mr. Pitambar Acharya, Sr. Adv, Advocate General
Ms. Samapika Biswal, AOR
Mr. Aman Kumar Yadav, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

1. Leave granted.
2. The appeals are allowed in terms of the signed non-reportable judgment.
3. Pending application(s), if any, stand(s) disposed of.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)

[Signed non-reportable judgment is placed on the file]