

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 12818/2024

1. Jitendra S/o Amra Ram Meghwal, Aged About 21 Years, Rajiv Gandhi Colony, Pal Link Road, Ward No.9, Jodhpur, Rajasthan.
2. Gautam Singh Sisodiya S/o Sampat Singh Sisodiya, Aged About 21 Years, Jyoti Nagar, Chandna Bhakar, Jodhpur, Rajasthan.
3. Babu Lal S/o Sohana Ram, Aged About 19 Years, Cheemna, Jodhpur, Rajasthan.
4. Yashveen Kumar Sain S/o Lakhpat Rajasthan, Aged About 18 Years, Seervi Ka Bas, Sojat Pali, Rajasthan.
5. Aryan Chawala S/o Kailash Chandra, Aged About 19 Years, Bhuteshwar Mahadev Mandir, Sojat Pali, Rajasthan.
6. Dasrath S/o Soordas Ji, Aged About 19 Years, Banta, Rajasthan.
7. Deepak Choudhary S/o Vora Ram Choudhary, Aged About 22 Years, Gajnipura, Rajasthan.
8. Bhawna Meena D/o Dungaram, Aged About 23 Years, Devli Auwa, Rajasthan.
9. Chandra Sekhar S/o Ramesh Chand Choudhary, Aged About 18 Years, Unto Ki Ghanti, Soorsagar, Jodhpur, Rajasthan.
10. Suraj Singh S/o Sharwan Singh, Aged About 20 Years, Chopasani Main Road Bsnl Office, Jodhpur.

-----Petitioners

Versus

1. The Jai Narayan Vyas University, Jodhpur Through Its Registrar, University Rajasthan Campus, Jodhpur.
2. The Registrar, The Jai Narayan Vyas University, Jodhpur, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Dharendra Singh Sodha Mr. Manvendra Singh
For Respondent(s)	:	Mr. Deepesh Beniwal Dr. Milap Chopra

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

08/05/2026

1. Present writ petition is filed with following prayers :

- "(i) The record of the case may kindly be called for;*
(ii) The issue a writ or direction directing the respondent no role back the arbitrary fee hike for the academic year 2023-24 and restore the previous fee structure.
(iii) The respondents may be directed to adhere to the statutory regulations and norms Governing fee hike in educational institutions.
(iv) Any other writ, order or direction which this Hon'ble Court deems just and proper in the facts and circumstances of the case may kindly be allowed to petitioner;
(v) Costs of the petition may be awarded to the petitioner."

2. Explaining facts of present case, learned counsel for petitioners submitted that petitioners are students of various colleges affiliated with Jai Narain Vyas University ("the University"). It is contended that respondent–University has arbitrarily enhanced examination fees for Academic Year 2023–24. In the previous academic year, examination fee was Rs. 1,230/- per annum, however, for Academic Year 2023–24, fee has been increased to Rs. 1,930/- for first semester and Rs. 1,900/- for second semester, totaling Rs. 3,830/- per annum. It is further averred that substantial increase in examination fees has been introduced without any prior consultation with students and without taking into account their financial circumstances.

2.1 It was submitted that, while enhancing examination fees for Academic Year 2023–24, respondent–University failed to take into consideration norms and regulations governing fee enhancement, particularly the directions contained in order / communication dated 21.08.2017 issued by Governor Secretariat, Jaipur which permits increase in fees only at the rate of 10% per annum.

2.2 Learned counsel for petitioners further contended that increase in fees imposed by respondent–University is arbitrary, excessive, and wholly unjustified. It is further submitted that, when compared with examination fees charged by other universities, enhancement effected by respondent–University is disproportionately high and devoid of any reasonable basis. On these grounds, it has been prayed that present writ petition be allowed and enhancement in examination fees be set aside.

3. *Per contra*, learned counsel appearing for respondent–University submitted that examination fee was earlier enhanced vide Notification dated 14.08.2017 (Annexure R/1) for Academic Year 2017–18, which remained in force up to Academic Session 2021–22. Same fee structure was thereafter continued for Academic Session 2022–23 vide Notification dated 20.06.2022 (Annexure R/2). It has been further submitted that it is only vide Notification dated 20.06.2023 that examination fee was enhanced for the first time after 2017 for Academic Session 2023–24.

3.1 Learned counsel for respondent–University, while explaining breakup of revised fee structure, submitted that examination fee has not been enhanced exorbitantly. It is contended that total amount of Rs. 1,930/- referred to by petitioners includes examination fee, enrollment fee, marksheet fee, online form fee, as well as data handling charges, and the same, in any case, cannot be termed as excessive or unreasonable.

3.2 It was further submitted that, upon consideration of requests received from various sources, data handling charges were reduced from Rs. 500/- to Rs. 350/- vide Notification dated 03.08.2024 (Annexure R/6). It has been argued that respondent–

University has not violated any of norms prescribed under statutory regulations. The claim raised by petitioners is, therefore, misconceived, wholly baseless, and deserves to be dismissed.

4. Heard learned counsel for parties and perused material available on record.

5. This Court is of considered opinion that scope of interference of Writ Courts in matters relating to fixation or enhancement of academic fees, including examination fees, is inherently limited, having regard to academic and administrative autonomy of educational institutions. Fee structuring ordinarily falls within domain of expert bodies of the University, which are better equipped to assess financial requirements, infrastructural needs, and administrative costs. Interference may be justified only in exceptional circumstances where enhancement of fees is shown to be ex facie arbitrary, unreasonable, mala fide, irrational, or exorbitant, or where it is shown to be in clear violation of statutory provisions or binding guidelines. In absence of such vitiating factors, Court would normally refrain from substituting its own view for that of the academic body concerned.

5.1 Hon'ble Madhya Pradesh High Court in ***Ashalata v. M.B. Vikram University, 1960 SCC OnLine MP 106*** held that though a University is amenable to writ jurisdiction under Article 226 of the Constitution, interference by High Court in academic matters should be exercised sparingly and only where there is a patent violation of statutory provisions resulting in substantial prejudice. Relevant paragraphs are reproduced herein below:

"3. The principles on which the High Court might issue directions and writs under Article 226 of the Constitution are

by now well established so that it is unnecessary to cite case law on this subject. The Vikram University, like most of the Universities in our country, is an autonomous corporation, constituted by a statute (Madhya Bharat Act 18 of 1955), and maintained by the State of Madhya Pradesh. As such, it comes within the definition of "State" in Article 12, the phrase "all local or other authorities" being wide enough to include a University maintained by State funds.

4. So a University is amenable to a direction or writ issued by the High Court in appropriate cases. At the same time, as it has been constituted to exercise some highly specialized functions, acting through officers and subordinate authorities appointed or constituted by itself in exercise of powers given by statute, there should be very good reason for the High Court interfering in this manner. The basic requirements for this are that, firstly, there should be a patent and undoubted violation of a provision in the Statute or regulation or ordinance governing the particular subject; secondly, this non-compliance or violation should have directly resulted in a substantial restriction of the service or benefit which a citizen is entitled to get from the University, that is, the breach should be such that, but for it, the petitioner would not have suffered this inconvenience or denial; thirdly, the direction or relief sought should be such that it should not add to the inconvenience suffered by the public at large disproportionate to the injustice or inconvenience that is sought to be remedied."

6. Moreover, this Court is unable to accept the contention advanced on behalf of petitioners that, earlier, examination fees were charged on a yearly basis, whereas after the introduction of semester-wise academic system, such fees are being charged twice a year. It is evident that, upon the adoption of semester system, the academic programme underwent a substantial change, requiring the University to conduct examinations twice annually instead of once. Therefore, the levy of separate examination fees for each semester is wholly justified and cannot be said to be arbitrary or unreasonable.

6.1 This Court also finds that enhancement of fees has been effected after a lapse of nearly six years, inasmuch as fees were

last revised in the year 2017 and have thereafter been enhanced only in the year 2023. Considering the prevailing rate of inflation and the fact that examinations are now being conducted twice annually under semester-wise system, increase in examination fees from ₹1,230/- to ₹3,830/- which was later revised to ₹3,530/- cannot be said to be unjustified, arbitrary, or exorbitant.

6.2 This Court has also taken into consideration the argument advanced on behalf of petitioners with regard to order dated 21.08.2017, which, according to petitioners, permitted only a 10% increase in fees. However, in this regard, a comparative chart has been placed on record by respondent-University by way of an additional affidavit, which clearly shows that, if enhancement of examination fees is assessed in the light of order dated 21.08.2017 authorizing the University to increase fees at the rate of 10% per annum, then examination fee fixed in the academic session 2017-18 at ₹700/- would work out to approximately ₹1,240/- for the academic session 2023-24. However, in the present case, fee has been enhanced only up to ₹900/-. Thus, viewed from any perspective, this Court finds that no case for interference is made out.

7. It is pertinent to note that respondent-University incurs substantial expenditure towards the conduct of semester-wise examinations, including preparation and printing of question papers, evaluation, digital processing of results, deployment of examination staff, infrastructural arrangements, and other administrative requirements. With the rise in operational and logistical costs over time, some degree of revision in examination fees becomes inevitable to ensure smooth and efficient functioning

of the examination system. In considered opinion of this Court, such enhancement must maintain a fair balance between the interests of students and the financial and administrative requirements of the institution. While the increase should not be so excessive as to unduly burden students and their families, the institution must also be afforded adequate financial support to maintain standards and effectively regulate its academic and infrastructural functioning. In the present case, enhancement appears to have a reasonable nexus with the object sought to be achieved and cannot be termed excessive or disproportionate.

8. In absence of any violation of statutory or constitutional rights, this Court finds no justification to substitute its opinion for that of the competent academic authority, particularly in matters of academic and financial policy, unless the decision suffers from patent illegality or perversity, which is not the case herein. Additionally, petitioners have failed to establish that respondent-University has acted in an arbitrary or unreasonable manner while revising the examination fees. Mere dissatisfaction with the extent of increase in fees cannot, by itself, constitute a valid ground for interference under Article 226 of the Constitution of India.

9. Accordingly, present writ petition is, hereby, **dismissed**.

10. Stay application and all pending applications, if any, are also **dismissed**.

(SANJEET PUROHIT),J