

Ref. No. IES/MES/1081/2020-21

Date 31.3.2021

**Sub : Notice for payment of fee Arrears for Academic Year 2020-21
for Standard X**

Madam / Sir,

- 1. The notices for payment of fees for Academic Year 2020-21 had been uploaded on the school website / displayed on the school notice board / gate, from time to time. You have been made aware that despite the Hon'ble Bombay HC staying the Government of Maharashtra GR dated 08.05.2020 on payment of fees for the Academic Year 2020-21, the management had announced that the fees to be paid for the Academic Year 2020-21 would be the same fees as that notified for the Academic Year 2019-20.**
- 2. Some parents have not paid the fees for the Academic Year 2020-21 till date and are therefore in arrears of fees.**
- 3. Due to the extra ordinary situation due to the COVID-19 pandemic, the management has taken a decision not to collect late fee charges for this Academic Year. The management has not calculated any late fees for the Academic Year 2020-21, and have advised parents to pay their Fees by 31-3-2021, without any levy of Late Fees.**
- 4. Parents' attention is invited to the judgment and order of the Hon'ble Bombay High Court dated 01.03.2021 in Writ Petition (Stamp) Nos. 95629 of 2020 and connected matters. This order is available on the website of the Hon'ble Bombay High Court. The Hon'ble Bombay High Court has held, inter alia, that the Government Resolution dated 8th May 2020 is only prospective in nature and cannot apply to schools which have already fixed/declared their fee for the Academic Year 2020-2021 and/or where such fees are duly accepted in terms of the 2011 Act as amended and/or has been acted upon before the resolution dated 8th May 2020. Therefore, Parents are required to pay the notified fees for the Academic Year 2020-21.**
- 5. Despite several requests made vide notices displayed on website / notice board / school gate, some parents have refused to pay the fees till date. Despite this, the child has been attending the online classes, has filled in the examination form for Grade X Board examinations and will be appearing for the said examinations and the school has ensured that the child's academic progress is not stopped in any manner whatsoever.**
- 6. Parents' attention is drawn to the order passed by the Hon'ble Bombay High Court on 23.04.2018 in Civil Application No. 914 of 2018 in Writ Petition No. 9444 of 2017. By this order, the Hon'ble Bombay High Court has upheld the right of the unaided school managements to cancel the admission of students who have not paid the fees. We chose not to exercise this option.**

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7. Due to the parent's refusal to pay the prescribed fees, the school management is within its right to take action against that parent. However, keeping in view the management's philosophy of resolving the matters and keeping in mind the fact that the interest and continuation of the child in school, was in her / his interest, all children were permitted to attend online school without any break, and have also been permitted to log into the online classes being conducted for all students.
8. The management, as a special case, is offering parents who have not paid their fees till date, a one-time final opportunity to clear all the fee arrears on or before 15-04-2021, to avoid an unpleasant and embarrassing situation for both, the parent and the school.
9. **Please note that non-payment of the outstanding fees, as set out in this notice, will entail serious consequences, including withholding the mark sheet / Report Card and the school leaving certificate till the fee arrears are cleared in its entirety.**
10. We hope that parents realise the gravity and seriousness of the situation and will pay the fee arrears on or before 15-04-2021.
11. The aforesaid demand / action is without prejudice to any and all other remedies that the school has in law and equity.
12. **This notice is not applicable to all those parents who have paid the Fees for AY 2020-21.**

Judamle
Headmistress
E.S. MODERN ENGLISH SCHOOL
D. S. BABREKAR MARG,
DADAR (W), MUMBAI-400 028.