



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 3796 OF 2026

(GARGI NITESH RASSE (MINOR) THR. HER NATURAL GUARDIAN FATHER NITESH HEMKANT
RASSE & OTH..VS..NAVODAYA VIDYALAYA SAMITI THR. ITS & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

S/Shri D.Y.Chatap, Pranav Deshmukh and Bodhi Ramteke, Adv. for petitioners.
Shri K.A.Patil, Advocate for respondent nos. 1 to 3.
Shri N.S.Rao, AGP for respondent/State.

CORAM : ANIL S. KILOR AND
RAJ D. WAKODE, JJ.

DATED : JULY 10, 2026.

1. Today, we have decided **Writ Petition No. 4157 of 2026** (*Arpita Santosh More vs. Navodaya Vidyalaya Samiti & Others*) by passing a detailed, reasoned judgment. Since the legal issue involved in that petition is the same as the issue in the present petition, the present petition is covered by the said judgment.

2. In the aforesaid judgment this Court has held thus :

“32. Thus, there is no element of doubt that the specification of areas, as transitional areas, smaller urban areas or larger urban areas is indicative of the fact that by their very nature, these areas have ceased to be, rural in nature and characteristics. Clause (2) of Article 243-Q requires the Governor; to have due regard to the population of the area, the density, of population, the revenue generated. For local administration, the percentage of employment in non-agricultural activities, the economic importance or such other factors as he may deem fit. These are all indicia of urbanization as distinct from a predominantly rural area.

33 – 36 ...

37. *After considering the object of establishment of Jawahar Navodaya Vidyalaya where for the upliftment of rural students 75% seats are reserved for rural students, we cannot accept the definition of a 'rural area' which the petitioner has relied upon, i.e., an 'urban area' is that which is notified by the Government and all other areas are 'rural areas'.*

38. *Whereas, the definition of a 'rural area' which says that the area not notified as a 'rural area' by the Government will be an urban area, is the correct definition which will help to achieve the manifest purpose of the scheme of Jawahar Navodaya Vidyalayas.*

39. *Thus, we hold that for the admission in rural quota in Jawahar Navodaya Vidyalayas, the areas which are not notified by the Government as rural areas will be considered as urban areas."*

3. In that view of the matter, the transitional areas Sawali, Sindewahi, Gondpipri, Wadholi, Ratnapur, Gojoli Makta cannot be treated as 'rural areas' and accordingly we hold that the respondent-school has rightly denied final admission to the petitioner.

4. Accordingly, the Writ Petition is **dismissed**. No order as to costs.

5. At this stage, a request is made to continue the interim relief.

6. Since the academic session has already commenced and considering the findings recorded in the judgment, the request made by the learned counsel for the petitioner cannot be accepted. Accordingly, the request is **rejected**.

However, the petitioner is at liberty to compete for admission under the 25% quota reserved for both urban and rural area students, subject to merit.

R.Raut.

(RAJ D. WAKODE)

(ANIL S. KILOR)