

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3888 OF 2012

Vidhayak Sansad	.. Petitioner
V/s	
The State of Maharashtra & Ors.	.. Respondents

Ms. Ameeta Kuttikrishnan i/b Mrs. S.D. Khot for the petitioner.
Mr. C.P. Yadav, A.G.P. for respondent nos.1 and 5.

CORAM: D.H. WAGHELA, CJ. & M.S. SONAK, J.

DATE : 16th APRIL 2016

P.C.:

The present petition in the nature of public interest litigation is filed with a grievance that in certain parts of District Thane, large number of children, particularly belonging to the class of migrant workers, were deprived of their right to free and compulsory education. In the form of prayer, directions are sought to the Education Department of the State Government to continue to implement the Government Policy with respect to Mahatma Phule Shikshan Hami Yojana as incorporated in its G.R. dated 13th October 2000, as amended from time to time. Other consequential prayers are also made in the petition.

2. After issuance of notice to the respondents, affidavits are filed on behalf of respondent nos.1 to 4 and the prevailing position

of the enforcement of fundamental rights of the children concerned, as and upto the year 2013, is stated in some detail. No direction could be issued on the basis of the data submitted by the parties which is by now outdated.

3. Therefore, it was fairly submitted at the Bar that the present petition may be disposed without any further order with liberty to the petitioner or any other interested party to file a fresh petition on the basis of the grievances, if any, based on the current relevant data of violation of any of the provisions of Right of Children to Free and Compulsory Education Act, 2009 and the Rules of 2011 framed thereunder.

4. Accordingly, the petition is disposed with liberty as aforesaid with no order as to costs.

(M.S. SONAK, J.)

(CHIEF JUSTICE)