

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6857 OF 2022

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Ranveer Pravin Patil Minor Through
His Father Pravin Subhash Patil ... **Petitioner**
Versus
JSPSM Blossom Public School & Ors. ... **Respondents**

Mr. Mahesh R. Bhokarikar, Advocate for the Petitioner.

Mr. Pankaj Deokar, Advocate for Respondents.

**CORAM: S.V. GANGAPURWALA &
 R. N. LADDHA, JJ.**

DATED : SEPTEMBER 8, 2022

P.C.

1. Heard learned Counsel for the petitioner and the learned Advocate for the respondents. The application of the petitioner for admission to respondent No.1 school under Right to Education Act was initially allowed, however, subsequently cancelled.

2. The admission of the petitioner was cancelled only on the ground that the petitioner could not give residential proof. The leave and license agreement is subsequent to the date of application.

3. It is submitted by the learned Counsel for the petitioner that there are other documents such as bank passbook, Aadhar card and the certificate issued by the Employer suggesting that the petitioner and his father reside within the local limits of respondent No.1 school.

4. According to respondents, the petitioner had produced the leave and license agreement of a period after the date of application and the other documents were not produced by the petitioner before the said order is passed.
5. We have considered the submissions.
6. The petitioner has failed to produce the documents to substantiate his contention of the residence proof before the authority.
7. The respondent Nos.2 and 3 can only consider the case of the petitioner if the vacancy exists with the respondent No.1 school for giving admission under the right to Education Act. The petitioner may produce all the documents before the respondent No.2 to substantiate his contention of the residential proof. The respondent No.2 may if satisfied with the documents produced by the petitioner and if the vacancy exists in respondent No.1 under Right to Education Act, the respondent No.2 shall consider the application of the petitioner for admission of the petitioner and pass necessary orders thereto.
8. With the aforesaid observations, the writ petition is disposed of. No costs.

(R. N. LADDHA, J.)

(S.V. GANGAPURWALA, J.)