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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 669 OF 2024

SAI PRAM SAGER BHAUDDDESHIYA SEVABHAVI SANSTHA
THROUGH ITS SECRETARY AMER ATMARAM BHOSALE AND
OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTEHRS

...

Advocate for the Petitioner : Mr. Pokale Dnyaneshwar Bhaurao

AGP for Respondent Nos. 1 to 3 : Mr. P.S. Patil.

Advocate for respondent No.5 : Mr. P.D. Suryawanshi.

**CORAM : SMT. VIBHA KANKANWADI
& S.G. CHAPALGAONKAR, JJ.**

DATE : 19th JANUARY, 2024.

P.C. :-

1. Leave to delete respondent No.4 is granted. Amendment be carried out forthwith.

2. Present petition is filed for directing the respondents to reimburse the fees of the children who have been admitted under the Right of Children to Free and Compulsory Education Act, 2009.

2. The learned advocate for the petitioner, the learned AGP and learned advocate for respondent No.5 submit that the petition can be disposed of in view of the fact that similar matter i.e. W.P. No. 2819 of 2021 came up before this Court Bench at Nagpur. It appears that prior to that Coordinate Bench of this Court in **W.P. No. 7672 of 2022 (Vivekanand Academy of Human Excellence, Chimangaon, Tal. Koregaon Vs. State of Maharashtra)** with companion petitions, had passed order on 21.9.2023, wherein the respondents were directed to scrutinize the case

of the petitioners regarding eligibility and quantum of amount to be reimbursed.

3. Here also, it appears that present petitioner had made representations and, therefore, we follow the same course of action.

4. Writ petition is disposed of by giving directions that the case of the petitioner shall be scrutinized by the authority concerned within a period of 4 weeks, in the light of the directions in para. No. 4 in W.P. No. 7672 of 2022, which runs as under :-

“4. The respondents will have to scrutinize case of the Petitioner as regards eligibility, quantum and thereafter will have to take necessary steps. Learned AGP on instructions states that cases of each of the Petitioner would be scrutinized within a period of two weeks. So as to ensure that there is no further time sought on behalf of the Respondents, we grant four weeks time to the Respondents. Within this period the case of each of the Petitioner would be scrutinized and the eligibility, quantum be determined by the concerned Respondent. The amount admissible to the Petitioners should be released within a period of 2 weeks thereafter. If the Petitioners are not entitled then the order to that effect be passed. If the Petitioners are aggrieved by total denial or partial disbursement of the amount claimed by them, it is open to them to take such action as is permissible in law.”

[S.G. CHAPALGAONKAR, J.]

[SMT. VIBHA KANKANWADI, J.]

grt/-