



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

915 WRIT PETITION NO. 3135 OF 2024

SHRI SHIVCHHATRAPATI SHIKSHAN KRIDA MANDALS AT
PARTUR THROUGH ITS PRESIDENT AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Mr. A.B. Pokale Advocate for Petitioners.
Mr. S.J. Salgare, A.G.P. for Resp. Nos. 1 to 3.
Mr. P.D. Suryawanshi Advocate for Resp. No.4.

...

AND

918 WRIT PETITION NO. 3139 OF 2024

SANJIWANI SEVABHAVI SANSTHA JATEGAON THROUGH ITS
PRESIDENT RAMESHWAR HARIBHAU CHAVAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Mr. A.B. Pokale Advocate for Petitioner.
Mr. A.M. Phule, A.G.P. for Resp. Nos. 1 to 3.
Mr. P.D. Suryawanshi Advocate for Resp. No.4.

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

DATE : 21st MARCH 2024

ORDER :

1. Present Petitions are 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 petitioners, the learned AGP and learned Advocate for respondent No.4 submit that the Petitions can be disposed of in view of the fact that similar matter i.e. ***Writ Petition No. 2819 of 2021*** came up before this Court Bench at Nagpur. It appears that prior to that Coordinate Bench of this Court in ***Writ Petition No. 7672 of 2022 (Vivekanand Academy of Human Excellence, Chimangaon, Tal-Koregaon vs. State of Maharashtra)*** with companion petitions, had passed order on 21st September 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 petitioners had made representations and, therefore, we follow the same course of action.

4. Writ Petitions are disposed of by giving directions that the case of the petitioners shall be scrutinized by the authority concerned within a period of four weeks, in the light of the directions in Para No.4 in Writ Petition 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]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE