

Corrected copy : corrections have been carried out in view of the speaking to the minutes of the order dated 06.08.2024



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

975 WRIT PETITION NO.8102 OF 2024

Sartaj Education & Welfare Society,
Parli Tq. Parli Dist. Beed
through its Secretary
Shaikh Quadeer Mohammed Naseer ... **PETITIONER**

VERSUS

1. The Union of India
through Secretary
Ministry of Education Department
of School Education and Literacy,
Shastri Bhavan New Delhi
2. The State of Maharashtra,
through its Secretary
Department of School Educational
and Sports Mantralaya, Mumbai
3. The Finance Department Government
of Maharashtra, through its Secretary
503, (Main) 5th Floor Mantralya,
Hutatma Rajguru Chouk Madam
Kama Road, Mumbai – 400 032
4. State of Maharashtra Directorate,
of Primary Education, Dr. Aani
Bezant Road Central Building
Pune – 411 001
5. The Education Officer Primary
Zhillha Parishad Beed ... **RESPONDENTS**

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Advocate for the Petitioner : Mr. Pokale Dnyaneshwar Bhaurao
Advocate for Respondent No.1 - UOI : Mr. Bhushan Kulkarni
AGP for Respondents/State : Mrs. K.B. Patil Bharaswadkar
Advocate for respondent No.5 : Mr. P.D. Suryawanshi

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AND

981 WRIT PETITION NO.8123 OF 2024

1. Saraswti Education Prasarak Mandal's
Bhalgaon Tq. Patharadi Dist. Ahmednagar
through its Secretary
Ashok S/o Pandurang Kharmate

2. Indrayani Shikshan Sanshta Khedale (P),
Tq. Newasa Dist. Ahamadnagar
through its President,
Mohiniraj S/o Bhaskar Hon,
3. Mauli Shikshan Sanshta Supa,
Tq.Parner Dist. Ahamadnagar
through its Secretary,
Aniket S/o Dadasaheb Pathare,
4. Sanskar Pratishthan's,
Ralegan-Shiddhi Tq.Parner
Dist. Ahamadnagar
through its President,
Jalindar S/o Dadabhau Mapari,
5. Kai.Shankarseth Lodha Memorial,
Education Society Sonai Tq. Newasa
Dist. Ahamadnagar.
Through its Secretary,
Paresh S/o Omprakash Lodha,
6. Chatrapati Sambhajiraje Public School,
Akhegaon Tq.Newasa Dist. Ahamadnagar.
through its President, of Chhatrapati Sambhaji
Maharaj Krishi Shikshan Vikas Va Bahuuddeshiya
Prabodhini's Shevgaon Dist. Ahmednagar
Shivaji S/o Kisanrao Kate
7. Indrayani Bhauuddeshiya Adhyatmik,
Shikshan Sanshta Pingewadi,
Tq.Shevgaon Dist. Ahamadnagar,
through its Secretary,
Sachin S/o Pandurang Vaidya,
8. Khrist Niwas Trust's,
Ghodegaon Tq. Newasa
Dist. Ahamadnagar,
through its Secretary,
Neelmani Toppo

... PETITIONER

VERSUS

1. The Union of India
through Secretary
Ministry of Education Department
of School Education and Literacy,
Shastri Bhavan New Delhi
2. The State of Maharashtra,
through its Secretary
Department of School Educational
and Sports Mantralaya,Mumbai

3. The Finance Department Government of Maharashtra, through its Secretary 503, (Main) 5th Floor Mantralya, Hutatma Rajguru Chouk Madam Kama Road, Mumbai – 400 032
4. State of Maharashtra Directorate, of Primary Education, Dr. Aani Bezant Road Central Building Pune – 411 001
5. The Education Officer Primary Zhillha Parishad Ahmednagar.

... **RESPONDENTS**

...

Advocate for the Petitioner : Mr. Pokale Dnyaneshwar Bhaurao

Advocate for UOI : Mr. Bhushan Kulkarni

AGP for Respondents: Mr. D.R. Korde

Advocate for respondent No.5 : Mr. Satish B. Parnere

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AND

982 WRIT PETITION NO.8124 OF 2024

Bhagwanbaba Shikshan Prasarak
Va Samajik Sanshta Ansurda
Tq. & Dist. Dharashiv
through its President
Bhaskar s/o Prabhakar Bondar

... **PETITIONER**

VERSUS

1. The Union of India
through Secretary
Ministry of Education Department
of School Education and Literacy,
Shastri Bhavan New Delhi
2. The State of Maharashtra,
through its Secretary
Department of School Educational
and Sports Mantralaya, Mumbai
3. The Finance Department Government of Maharashtra, through its Secretary 503, (Main) 5th Floor Mantralya, Hutatma Rajguru Chouk Madam Kama Road, Mumbai – 400 032
4. State of Maharashtra Directorate, of Primary Education, Dr. Aani Bezant Road Central Building Pune – 411 001

5. The Education Officer Primary
Zhillha Parishad Dharashiv

... **RESPONDENTS**

...

Advocate for the Petitioner : Mr. Pokale Dnyaneshwar Bhaurao
Advocate for Respondent No.1 - UOI : Mr. Sadanand Sadashiv Deve
AGP for Respondents/State : Mr. P.P. Dawalkar
Advocate for respondent No.5 : Adv. B.B. Bhise

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CORAM : **MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : **01.08.2024**

PER COURT:

Leave granted to correct title. Amendment to be carried out forthwith.

2. Issue notices to the respondents for final disposal. Learned advocate Mr. Bhushan Kulkarni waives service for respondent No.1. Learned AGP waives service for respondent Nos.2 and 3. Learned advocate Ms. B.B. Bhise waives service for respondent No.5.

3. All these petitioners are the Educational Institutes running schools. They are seeking reimbursement of fees in lieu of admitting 25% students under the provisions of Right of Children to Free and Compulsory Education Act, 2009.

4. Though the respondent No.1 - Union of India has taken over burden to share some of such reimbursement, essentially, the State authorities respondent Nos.2 to 5 are supposed to undertake the scrutiny regarding entitlement of such petitioners seeking reimbursement.

5. In the light of above, the prayers in all these petitions are innocuous.

6. The writ petitions are disposed of directing the respondent Nos.2 to 5 to immediately undertake scrutiny of the proposals of each of these petitioners, claiming reimbursement, by undertaking necessary inquiry which shall happen, as expeditiously as possible and to be concluded in any case within six weeks. The petitioners shall be reimbursed to the extent found entitled to after such inquiry, within four weeks thereafter.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

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