

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.276 OF 2024

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| 1. Matoshri Shantabai Govindrao Sonawane |] |
| 2. Jai Babaji English Medium School, Nagarsul |] |
| 3. Jivan Amrut English Medium School, Mukhed |] |
| 4. Arya Niketan English Medium School, Paregaon |] |
| 5. Bankar Patil CBSE School, Angangaon |] |
| 6. Shri Sainath English Medium School, Dhulgaon |] |
| 7. Laxmi English Medium School, Vikharni |] |
| 8. Rajesh Kadam English Medium School, Jalgaon Neur] | |
| 9. Atma Malik Gurukul, Purangaon |] |
| 10. Om Gurudev English Medium Gurukul, Yeola |] |
| 11. Ganadhish International English Medium School |] |
| 12. Saieegreen English School, Nagarsul |] .. Petitioners |

Versus

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| 1. The State of Maharashtra, |] |
| Through Primary Education Department |] |
| 2. The Commissioner of Education, |] |
| Primary Directorate of Education, Pune |] |
| 3. The Director of Education, |] |
| Primary Directorate of Education, Pune |] |
| 4. The Dy. Director of Education, |] |
| Nashik Division, Nashik. |] |
| 5. The Education Officer (Primary), |] |
| Zilla Parishad, Nashik. |] |
| 6. The Chief Executive Officer, |] |
| Zilla Parishad, Nashik |] .. Respondents |

Mr. Vaibhav D. Kadam, with Adv. Aprajita Mahto, for the Petitioners.
Mr. N.C. Walimbe, Add. G.P., with Mr. R.P. Kadam, AGP, for the Respondent-State.

**CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ**

DATE : 10TH JANUARY, 2024.

ORAL JUDGMENT : { Per A.S. Chandurkar, J. }

1. Leave granted to implead the Chief Executive Officer, Zilla Parishad, Nashik as respondent no.6. The amendment be carried out forthwith.
2. RULE. Rule made returnable forthwith and heard learned counsel for the parties.
3. The petitioners are Educational Institutions seeking reimbursement of grants under the provisions of Section 12(2) of the Right of Children to Free and Compulsory Education Act, 2009. According to the learned counsel for the petitioners, previously part amount of the grant has been reimbursed and now the entitlement is for 25% of such further grant.
4. The learned AGP, on instructions, submits that the respondent no.2 is the Competent Authority to consider the entitlement of the petitioners.
5. In the aforesaid facts, the writ petition is disposed of by directing respondent nos.2 to 4 to consider the entitlement of the petitioners to reimbursement of grants under Section 12(2) of the Act of 2009. The respondent nos.5 and 6 shall furnish necessary information to the said Authorities, as required. The aforesaid process of considering the entitlement of the petitioners be undertaken and completed within a period of three months of receiving copy of this order. Needless to state that on such entitlement being found, further consequential steps shall be taken by the respondents.
6. Rule is disposed of in aforesaid terms with no order as to costs.

[JITENDRA JAIN, J.]

[A.S. CHANDURKAR, J.]