IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

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WRIT PETITION NO.12047 OF 2024

Bhagvant Education Society, Barshi }
Through its Secretary, }
Sandeep S/o Balaji Barade }
Age :34 years. Occ:Service }
R/o Alipur Road, Barshi }
Tq. Barshi Dist: Solapur. }.. **Petitioner**

Vs.

1. The State of Maharashtra }
Through Chief Secretary, }
Department of School Education }
And Sports Ministry }
Mantralaya, Mumbai. }
(Copy to be served on G.P. High }
Court of Judicature of Bombay) }

2. The Department of Finance }
Through its Secretary, }
503, 5th floor, Mantralaya, }
Hutatma Rajguru chowk, Madam Kama }
Road, Mumbai 400032. }

3. State of Maharashtra Directorate }
of Primary Education, Dr Aani Bezant }
Road, Central Building, Pune. 411001 }

4. The Education Officer Primary }
Zilla Parishad, Solapur }
Siddheshwar Peth, }
Tq. & Dist. Solapur. } . **Respondents**

WITH
WRIT PETITION NO.11789 OF 2024
WITH
INTERIM APPLICATION NO.13550 OF 2024

This order is corrected pursuant to the order dated 17/10/2024.

IN
WRIT PETITION NO.11789 OF 2024

Janta Raja Bahuuddeshiya Shikshan
Prasarak Mandal & Ors. .. **Petitioner**

Vs.

The State of Maharashtra & Ors. .. **Respondents**

...

Mr. Vivek V. Kabade, Advocate for the petitioner in WP/12047/2024.
Mr. Dnyaneshwar B. Pokale, Advocate for the petitioner in WP/11789/2024 and Advocate for the applicant in IA/13550/2024.
Mr. B. V. Samant, Additional Government Pleader with Mrs. T. D. Goswami, Assistant Government Pleader for the respondent-State.

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CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ

DATE : 10th OCTOBER, 2024.

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

1. Leave granted to implead the Chief Executive Officer, Zilla Parishad, Solapur as respondent no.5. 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 Assistant Government Pleader, on instructions,

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submits that the respondent no.3 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.4 and 5 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.

[RAJESH S. PATIL, J.] **[A.S. CHANDURKAR, J.]**

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