



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 5817 OF 2024

(Kamalgovind United Welfare Society, Gondia and another ..vs.. State of Maharashtra, through its
Secretary, Mumbai and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Abhinav Vyas, Counsel for the petitioners,
Mr. D.P. Thakare, Addl.G.P. for respondent Nos.1,3,4 & 5,
Ms. M. Munshi, Counsel for respondent No.6,
Ms. Gargi Bhai, Counsel h/f. Mr. N. Deshpande, Counsel for respondent No.7.

**CORAM : BHARATI DANGRE &
ABHAY J. MANTRI, JJ.**

DATED : 07-10-2024

The reliefs sought in the petition are to the following effect.

“A. Direct the Respondent Nos. 1 to 7 to release and pay the outstanding amounts towards reimbursement of fees for the students admitted under 25% of the RTE quota in Petitioner No.2 School.

B. Direct the Respondent Nos.1 to 7 to provide to the Petitioner No.2 School all such benefits as may be due to it under the RTE Act.”

2. The learned Counsel for the petitioners has placed reliance upon a decision of this Court dated 24-9-2024 passed in two connected Writ Petition No. 5037/2024 and Writ Petition No. 5212/2024 wherein we have recorded in paragraphs 4, 5 and 6 as under :

“4. The Additional Government Pleader has also placed before us an order passed by the Division Bench at the Principal Seat in a bunch of petitions, where a

similar issue had cropped up as the petitioners had made grievance that despite repeated requests, amount admissible to the petitioners under the Right to Education Act, 2009 ("the Act of 2009" for short) has not been disbursed despite the fact that the Central Government has already released grants to the State Government for refund of fees to the 25% quota under the Act of 2009.

A similar statement was made before this Court on behalf of the Government and four week's time was granted to the State for scrutinizing and determining the eligibility as well as the quantum and thereafter releasing the admissible amount within a period of two weeks thereafter.

5. Since, the present two petitions are also governed by the order passed by the Division Bench on 9th November, 2023 in Writ Petition No.14162/2023 (Late Shri B.R. Chavan English Medium School Vs. State of Maharashtra and others) with connected petitions, by accepting the statement made before us by the Education Officer (Primary), we grant six weeks time to the State Government to complete the entire exercise of forwarding proposal and disbursement of the amount by the State Government, if petitioners are found to be eligible.

6. Both the petitions stand disposed off accordingly. No costs."

3. The learned Additional Government Pleader Mr. Thakare representing the State as well as Ms. Munshi appearing for respondent No.6 feel themselves bound by the said order. Accordingly, we grant six weeks time to the State Government to complete the entire exercise of forwarding proposal and disbursement of the amount by the State Government, if petitioners are found to be eligible.

4. Needless to state that if the petitioners are aggrieved by the rejection of the claim or on receipt of a lesser amount than what they expect, they are at liberty to take appropriate action.

(ABHAY J. MANTRI, J.)

(BHARATI DANGRE, J.)

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