



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
WRIT PETITION NO.3802 OF 2024

/idya Prasarak Shikshan Sanstha, Nagpur Thr. Secretary Gangadhar Vishveshwar
 Nakade, Jawahar Nagar, Nagpur and ors.

-vs-

State of Maharashtra, Thr. Secretary, Dept. of School Education, Mantralaya, Mumbai and ors.

Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri B. G. Kulkarni, Advocate for petitioners.

Shri N. S. Rao, Assistant Government Pleader for respondent Nos.1 & 3 to 5.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : July 05, 2024

1. Heard.
2. Shri B. G. Kulkarni, learned counsel appearing for the petitioners, who are public Trusts and the Societies registered under the Societies Registration Act, 1860 submits that the petitioners-Trusts are running primary schools. According to him pursuant to the provisions of Section 12(1)(c) and 12(2) of the Right of Children to Free and Compulsory Education Act, 2009 (for short, the said Act), the petitioners are admitting students to the extent of 25% of sanctioned quota as are sponsored by the State Government. He further submits that pursuant to the provisions of Section 12 of the said Act, the respondent-Central Government reimburse the fees receivable as against 25% of the admissions through the State Government. He would claim that though the State Government has already received funds for the academic session 2019-2020 and subsequent years, it has not released the same in favour of the petitioners neither for the academic session 2019-2020 nor for subsequent years.
2. In view of above, issue notice to the respondents, returnable on 30/08/2024.
3. Shri N. S. Rao, learned Assistant Government Pleader waives service of notice for respondent Nos.1 and 3 to 5.
4. To be heard alongwith Writ Petition No.2797/2024.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J.)