

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 441 OF 2025**

Shri. Dattabal Mission Divine,
Kolhapur & Anr.
V/s.

... Petitioners

The State of Maharashtra & Ors

... Respondents

Mr. Prashant Bhavake for the Petitioners.
Smt. R.A. Salunkhe, AGP for the Respondent/State.

**CORAM : M.S. KARNIK &
 N.R. BORKAR, J.J.
DATE : 11th JULY, 2025.**

P.C.

1. Heard learned counsel for the petitioners and the learned A.G.P. for the respondent/State.

2. According to the petitioners - institutions, they are entitled to reimbursement of fees for the students admitted against the quota of 25 % as per the provisions of Right of Children to Free and Compulsory Education Act, 2009 ('the Act' for the short). However, they have not been paid the said amount. The prayers in the petition read thus:

“(a) Rule Nisi be issued and record and proceedings be called for;

(b) By a suitable writ, order or direction, this Hon’ble Court be pleased to direct the Respondents to reimburse the amount of Rs.22,45,268/- alongwith interest @ 15% p.a. to the Petitioners as an arrears for bearing expenses for giving free education to the children belonging to disadvantage group and weaker section as per provisions

of the Right of Children to Free and Compulsory Education Act, 2009 within period of 4 weeks or any other period which this Hon'ble Court may deem fit and proper;

(c) Pending the hearing and final disposal of this Writ Petition, this Hon'ble Court be pleased to direct the Respondents deposit the amount of Rs.22,45,268/- to the Petitioners alongwith interest @ 15% p.a. in this Hon'ble Court;

(d) Ad-interim reliefs in terms of prayer clause (c) hereinabove, be granted to the Petitioner;

(e) Cost of this Petition be allowed;

(f) Such other and further reliefs as this Hon'ble Court deems fit and proper in the facts and circumstances of the case be granted in favour of the Petitioner."

3. In an identical petition, this Court by order dated 10th June 2025 in Writ Petition No. 6128 of 2025 directed the authority concerned to scrutinize the proposal for the reimbursement to the petitioners therein and if they are found to be entitled to some amount, the same shall be reimbursed to them.

4. We are, therefore, inclined to pass the similar order in the present petition.

5. The respondents shall scrutinize the proposal of petitioners for reimbursement and if they are found to be entitled to some amount, the same shall be reimbursed to them. However, in case the petitioners are not found to be entitled, then they shall be communicated the reasons

therefor for their non-entitlement for the amount they are claiming. The said exercise shall be done within a period of eight weeks from today.

6. The petition is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)