

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.19471 OF 2024

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|---|---|----------------|
| 1. SMG Vidyamandir, |] | |
| Dativali, Diva, Dist. Thane |] | |
| Through President : Mr. Swapnil Maruti Gaikar |] | |
| 2. SMG English School, |] | |
| Dativali, Diva, Dist. Thane |] | |
| Through President : Mr. Swapnil Maruti Gaikar |] | .. Petitioners |
| <i>Versus</i> | | |
| 1. The State of Maharashtra, |] | |
| Through School Education Department |] | |
| 2. The Director of Primary Education, |] | |
| State of Maharashtra |] | |
| 3. The Education Officer (Primary), |] | |
| Zilla Parishad, Thane |] | .. Respondents |

Mr. Aditya Raktade, Advocate for the Petitioners.

Mr. A.I. Patel, Additional Government Pleader with Mr. Y.D. Patil,
Assistant Government Pleader for the Respondent-State of Maharashtra.

CORAM : A.S. CHANDURKAR &
M.M. SATHAYE, JJ

DATE : 16TH APRIL 2025.

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

1. Rule. Rule made returnable forthwith and heard learned counsel for the parties.

2. The Petitioners are the Educational Institutions seeking reimbursement of grant 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 balance amount of such further grant.

3. The learned Additional Government Pleader, on instructions, submits that the Respondent no.2 is the Competent Authority to consider the entitlement of the Petitioners.

4. In the aforesaid facts, the writ petition is disposed of by directing Respondent no.2 to consider the entitlement of the Petitioners to reimbursement of grant under Section 12(2) of the Act of 2009. The Respondent no.3 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.

5. Rule is disposed of in aforesaid terms with no order as to costs.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]