

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8170 OF 2025**

Shree Saraswati English
Medium School and ors.
V/s.

... Petitioners

Union of India and Ors.

... Respondents

Mr. Vaibhav V. Ugle for the Petitioners.
N.M. Mehra, AGP for the Respondent/State.

**CORAM : M.S. KARNIK &
 N.R. BORKAR, J.J.
DATE : 24th JUNE, 2025.**

P.C.

1. Heard learned counsel for the petitioners and the learned AGP 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) That this Hon’ble Court be pleased to issue appropriate writ, order and direction directing the Respondent No. 2 to 4 to reimburse English Medium Schools, the tuition fees for students admitted in the 25% quota RTE for the academic years the list appearing

at Exhibit – A and pass appropriate orders in accordance with law on such terms as this Hon’ble Court may deem fit and proper.

b) that this Hon’ble Court be pleased to issue appropriate writ, order and direction directing the respondents to forthwith to give benefits to the schools list appearing at Exhibit – A which is pending since 2014 to 2025 under RTE on such terms as this Hon’ble Court may deem fit and proper.

c) That this Hon’ble Court be please to issue appropriate writ, order and direction directing the respondents to forthwith hold necessary inquiry in respect of various letters made by petitioners and subject to outcome of such issue, necessary action be initiated against the concerned persons.

d) That this Hon’ble court be pleased to direct the respondent No.2 to 4 to consider the representations made by the petitioners from 12th Jan, 2023 to 23rd April 2025 with time bound program on such terms as this Hon’ble Court may deem fit and proper.”

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.)