



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 7154 of 2025

Navchandika Bahu-Uddeshiya Shikshan Sanstha, Sawanta, through its Secretary, Nanasaheb
Panjabrao Deshmukh and others.

Vs

The State of Maharashtra through its Secretary Department of School Education, Mantralaya
Mumbai and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Bhanudas Gopaldas Kulkarni, counsel for petitioners.
Ms T.H. Khan, AGP for respondent Nos. 1, 3, 4 and 5.

CORAM : ANIL S. KILOR and RAJNISH R. VYAS, JJ.
DATE : 26/11/2025

1. Heard.
2. The contention is that the petitioners are the management of the schools within the meaning of clause (n) of Section 2 of the Right of Children to Free and Compulsory Education Act, 2009. Section 12(2) of the Act mandates the reimbursement of the fees incurred by such schools towards the expenses incurred in imparting education to 25% of its quota which is sponsored by the State Government. It is claimed that reimbursement of fees is not made. It is further brought to our notice that the similar issue felt for consideration before the Principal Seat and also at Aurangabad Bench in *Writ Petition No.7672/2022 (Vivekananda Academy of Human Excellence, Chimangaon V/s. State of Maharashtra and others)* with connected matters decided on

21.9.2023 and in Writ Petition No.3094/2024 (Maharashtra Bahuudeshiya Samajik Sanstha, Jalna and another V/s. The State of Maharashtra and others) decided on 20.3.2024 at Aurangabad Bench.

3. As such it is claimed that the petition be disposed of with direction to the respondent State Government to cause scrutiny of the claim put-forth by the petitioners.

4. Our attention is invited to the observations made at Principal Seat in para 4 which reads thus:-

4. The Respondents will have to scrutinize case of the Petitioner as regards eligibility, quantum and thereafter will have to take necessary steps. Learned AGP on instructions states that cases of each of the Petitioner would be scrutinized within a period of two weeks. So as to ensure that there is no further time sought on behalf of the Respondents, we grant four weeks time to the Respondents. Within this period the case of each of the Petitioner would be scrutinized and the eligibility, quantum be determined by the concerned Respondent. The amount admissible to the Petitioners should be released within a period of 2 weeks thereafter. If the Petitioners are not entitled then the order to that effect be passed. If the Petitioners are aggrieved by total denial or partial dis-imbursement of the amount claimed by them, it is open to them to take such action as is permissible in law.”

5. We grant four weeks time to the respondents to scrutinize case of each of the petitioners/schools as regards eligibility, quantum and to take necessary steps. Within this period, the case of each of the petitioners/schools should be scrutinized and the eligibility, quantum be determined by the concerned respondent. The amount admissible to

the petitioners/schools should be released within a period of 2 weeks thereafter. If the petitioners/schools are not entitled then the order to that effect be passed. If the petitioners are aggrieved by total denial or partial disbursement of the amount claimed by them, it is open to them to take such action as is permissible in law.

6. With the aforesaid observations and directions, the petition stands **disposed of**.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)