



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 4602 OF 2024

Prabhat Kids School

-Vs.-

The State of Maharashtra and others

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

Mr.Varad A.Kilor, Adv.with Mr.A.B.Bhuibhar, Adv.for the petitioner.
Mr. N.R.Patil, AGP for the respondents-State.
Mrs.Hemlata Jaipurkar, Adv.for the respondent Nos.6 and 7.
Ms Ashwini S. Athalye, Adv.for the respondent No.8.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATE : 12TH FEBRUARY, 2025

Mr.Patil, learned AGP for the respondents-State, in reference to the chart of reimbursement of fees in para-15 (Pg.13 of the petition) submits, that all amounts payable till the academic session 2018-19 have been paid to the petitioner-institution. This is being disputed by Mr.Kilor learned counsel for the petitioner, who contends, that this is an incorrect position, as the position as indicated in para-15 is the correct one. There cannot be any proof regarding non-payment, the learned AGP therefore to demonstrate the payment of the entire amounts on account of reimbursement of fees from the academic sessions 2014-15 till 2017-18.

2. Mrs.Jaipurkar, learned counsel for the respondent Nos.6 and 7, has tendered across the bar charts indicating

the details of payments made and what is balance due and payable, which are taken on record and collectively marked as 'X' for the purpose of identification. The learned counsel for the petitioner is therefore directed to verify the position regarding the payments as shown in the charts at X.

2. We are also concerned, with the statement of Ms.Athalye, learned counsel for the respondent No.5, that the 60% share of the Union under the Right to Education Act has been already given to the State. If that be so, there is no reason whatsoever, why this 60% contribution of the Union has not been disbursed by the State to the institutions, who are entitled for reimbursement. Ms.Athalye, learned counsel for the respondent No.5, would place an affidavit on record to the above effect.

3. List the matter on 20/02/2025.

(ABHAY J. MANTRI,J) (AVINASH G. GHAROTE, J)