



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

WRIT PETITION NO. 5002 OF 2024

(Maharashtra English School Trustees Association, Nagpur Division, Thr.
Divisional President & Anr.

Vs.

The State of Maharashtra, Thr. its Secretary Department of School
Education, Mantralaya, Mumbai-32 & Ors.)

WITH

WRIT PETITION NO. 3802 OF 2024

(Mahesh Vidya Prasarak Shikshan Sanstha, Nagpur, Thr. its Secretary &
Ors.

Vs.

The State of Maharashtra, Thr. its Secretary Department of School
Education, Mantralaya, Mumbai-32 & Ors.)

WITH

WRIT PETITION NO. 2797 OF 2024

(Late Yashodabai Naik (Pawar) Bahu-Uddeshiya Shikshan Prasarak Va
Gramin Vikas Sanstha, Bori (E), Thr. its President & Ors.

Vs.

The State of Maharashtra, Thr. its Secretary Department of School
Education, Mantralaya, Mumbai-32 & Ors.)

WITH

WRIT PETITION NO. 4739 OF 2024

(Shri Motiramji Thakare Shikshan Prasarak Mandal, Kasola, Thr. its
Secretary & Ors.

Vs.

The State of Maharashtra, Thr. its Secretary Department of School
Education, Mantralaya, Mumbai-32 & Ors.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
--	---------------------------

Mr. B.G. Kulkarni, Advocate for the Petitioners.
Ms. T.H. Khan & Mr. J.Y. Ghurde, AGPs for the Respondent/State.
Mr. N.M. Kolhe, Advocate for the Respondent No.6 in WP No. 5002/24.
Ms. A.S. Athalye, Advocate for the Respondent No.7 in all Petitions.
Ms. H.N. Jaipurkar, Advocate for the Respondent No.9 in WP No. 5002/24.
Mrs. B.P. Maldhure, Advocate for the Respondent No.10 in WP No. 5002/24.

Mr. Manoj Sable, Advocate for the Respondent No.11 in WP No. 5002/24.
Mr. G.G. Mishra, Advocate for the Respondent No.6 in WP No. 3802/24.
Mr. R.D. Bhuibhar, Advocate for the Respondent No.6 in WP No. 2797/24.

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

DATED : 25th MARCH, 2025

1. Heard.

2. All these Petitions seek a direction for release and payment of the outstanding amounts towards reimbursement of fees of the students admitted in 25% RTE quota in the schools being run by the Petitioners. The issue in that regard has already been considered and decided by this Court in *Mount Convent and Jr. College of Science, Mul and others Vs. The State of Maharashtra and others, Writ Petition No.5979/2024 dated 16.10.2024*, by relying upon the earlier view of this Court at the Principal Seat and the Bench at Aurangabad in the following terms:

“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-imburement 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 as regards eligibility, quantum and to take necessary steps. Within this period, the case of each of the petitioners should 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 disbursement of the amount claimed by them, it is open to them to take such action as is permissible in law.”

3. Learned Counsels for the Respondents do not dispute the identical nature of the issue raised in these Petitions, considering which, the Petitions are **disposed** off in terms of what has been held in para 4 and 5 as quoted above.

4. Pending application/s, if any, shall stand disposed of accordingly.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)