

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 105 OF 2026

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Tiranga English School & Anr.

... Petitioners

Versus

The Union of India & Ors.

... Respondents

.....

Mr. Ajit J. Kenjale a/w Sai Rajendra Kadam for the Petitioner.

Mr. Vijay Killedar (through VC) a/w Aakash Bhopi for Respondent No.1 –
UOI.

Mr. A.P. Vanarase, AGP for the Respondent - State.

.....

CORAM : R.G. AVACHAT AND
AJIT B. KADETHANKAR, JJ.

DATE : 13th JANUARY, 2026.

P C. :

1. Learned Counsel for the Petitioner would submit that the Petitioner - School Management has imparted education to the students under the the Right of Children to Free and Compulsory Education Act, 2009 and has lodged a claim for reimbursement of the expenses under Section 12(2) of the Act with the concerned Authority.

2. Learned Counsel would submit that directions be given to the Authority to process the claim proposal and take appropriate decision and reimburse the claim amount.

- 3.** Accordingly, we dispose of this petition with following directions.
- (i) The Petitioner shall approach the Education Officer together with a copy of this order within a period of Two weeks from today. If needed, the Petitioner can file additional documents in support of its claim(s), and can even file a comprehensive claim attached with such documents those are necessary in support of the claim.
 - (ii) Within a period of eight weeks from the date of receipt of copy of this order, the Education Officer shall decide Petitioner's claim proposal(s) on its own merit, to reimburse the grant / fees and expenses under Section 12(2) of the Act of 2009 for the period as mentioned in the claim proposal(s).
 - (iii) If the Education Officer has any reasonable query, such query would be brought to the notice of the Petitioner immediately which, the Petitioner would answer/satisfy accordingly.
 - (iv) If the Education Officer is not competent to decide the claim of the Petitioner, he shall immediately transmit such claim to the concerned competent authority and intimate the Petitioner accordingly. Such concerned authority to whom the proposal is transmitted by the Education Officer shall within six weeks from the date of receipt of proposal from the Education Officer, decide the claim proposal on its own merits.
 - (v) In no case, any authority including the Education Officer or the Deputy Director of Education or any such authority shall keep the proposal pending or shall reject such proposal citing

the reason that the power to grant reimbursement rests with some other authority.

- (vi) We make it clear that we have not made any observations on the entitlement of Petitioners-school to receive the reimbursement nor we have made any observations as to the amount of reimbursement, if any, receivable by the Petitioner.
- (vii) Keeping all contentions open, Writ Petition is disposed of with no order as to costs.

[AJIT B. KADETHANKAR, J.]

[R.G. AVACHAT, J.]