

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

ABHIMANYU
SHANKARRAO
GULANDE

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CIVIL APPELLATE JURISDICTION

WRIT PETITION ST. NO. 241 OF 2026

WRIT PETITION NO. 409 OF 2026

WRIT PETITION NO. 824 OF 2026

WRIT PETITION NO. 1462 OF 2026

WRIT PETITION NO.1510 OF 2026

WRIT PETITION NO.1511 OF 2026

WRIT PETITION NO.1516 OF 2026

(1) WRIT PETITION ST. NO.241 OF 2026

1. Scholar's Public School & Jeevanjyot
Junior College, Miraj,
Indiranagar Fata, Pavanchakki Road,
Shahu Colony, Dist. Sangli,
Through its Head Master.
2. Shri. Jyotirling Shikshan Prasarak Sanstha,
Miraj, Indiranagar Fata, Pavanchakki Road,
Shahu Colony, Dist. Sangli,
Through its President/Secretary. .. **Petitioners**

.. Versus ..

1. The State of Maharashtra
Through its Secretary,
School Education & Sports
Department, Mantralaya,
Mumbai – 40032,
2. The State of Maharashtra,
Through its Secretary,
Finance Department, Mantralaya,
Mumbai. 40032,

3. The Director of Education (Primary),
Maharashtra State, Pune,
Having office at, Central Building,
Dr. Annie Beasant Road, Pune-411001.
4. The Deputy Director of Education,
Kolhapur Region, Kolhapur,
Having office at, Hatti Mahal,
Ganji Galli, Somwar Peth, Kolhapur.
5. The Education Officer (Primary),
Zilla Parishad, Sangli,
Having Office at, Zilla Parishad,
Main Building, Nagala Park,
Sangli.

... Respondents

(2) WRIT PETITION NO.409 OF 2026

1. The Glorious English Medium School,
Varanage, Taluka : Karveer,
District-Kolhapur,
Through its Head Master.
2. The Glorious General Education &
Research Society, Varanage-Padali,
Taluka : Karveer, District : Kolhapur,
Through its President/Secretary. ..

Petitioners

.. Versus ..

1. The State of Maharashtra
Through its Secretary,
School Education & Sports
Department, Mantralaya,
Mumbai – 40032,

2. The State of Maharashtra,
Through its Secretary,
Finance Department, Mantralaya,
Mumbai. 40032,
3. The Director of Education (Primary),
Maharashtra State, Pune,
Having office at, Central Building,
Dr. Annie Beasant Road, Pune-411001.
4. The Deputy Director of Education,
Kolhapur Region, Kolhapur,
Having office at, Hatti Mahal,
Ganji Galli, Somwar Peth, Kolhapur.
5. The Education Officer (Primary),
Zilla Parishad, Kolhapur,
Having Office at, Ground Floor,
Zilla Parishad Main Building,
Nagala Park, Kolhapur.

... Respondents

(3) WRIT PETITION NO.824 OF 2026

1. Manas English School, Kini,
Tal. Hatkanagle, District-Kolhapur,
Through its Head Master.
2. Manas Gramin Vikas Prakalp,
Kini, Taluka : Hatkanagle,
District : Kolhapur,
Through its President/Secretary.

.. Petitioners

.. Versus ..

1. The State of Maharashtra,
Through its Secretary,
School Education & Sports

Department, Mantralaya,
Mumbai – 40032,

2. The State of Maharashtra,
Through its Secretary,
Finance Department, Mantralaya,
Mumbai. 40032,
3. The Director of Education (Primary),
Maharashtra State, Pune,
Having office at, Central Building,
Dr. Annie Beasant Road, Pune-411001.
4. The Deputy Director of Education,
Kolhapur Region, Kolhapur,
Having office at, Hatti Mahal,
Ganji Galli, Somwar Peth, Kolhapur.
5. The Education Officer (Primary),
Zilla Parishad, Kolhapur,
Having Office at, Ground Floor,
Zilla Parishad Main Building,
Nagala Park, Kolhapur.

... Respondents

(4) WRIT PETITION NO.1462 OF 2026

1. A.D. Mane International Academy,
Kagal, Taluka : Kagal, District : Kagal,
Through its Principal.
2. The Kagal Education Society,
Kagal, Taluka : Kagal.
District : Kolhapur,
Through its President/Secretary..

.. Petitioners

.. Versus ..

1. The State of Maharashtra,
Through its Secretary,
School Education & Sports
Department, Mantralaya,
Mumbai – 40032,
2. The State of Maharashtra,
Through its Secretary,
Finance Department, Mantralaya,
Mumbai. 40032,
3. The Director of Education (Primary),
Maharashtra State, Pune,
Having office at, Central Building,
Dr. Annie Beasant Road, Pune-411001.
4. The Deputy Director of Education,
Kolhapur Region, Kolhapur,
Having office at, Hatti Mahal,
Ganji Galli, Somwar Peth, Kolhapur.
5. The Education Officer (Primary),
Zilla Parishad, Kolhapur,
Having Office at, Forth Floor,
Zilla Parishad Main Building,
Nagala Park, Kolhapur.

... Respondents

(5) WRIT PETITION NO.1510 OF 2026

1. Sarvodaya Vivek Jeevan Vidya,
Public School, Badyachiwadi,
Tal. Gadhinglaj, Dist. Kolhapur,
(Old Name : St. Anne's English
Medium School, Badyachiwadi)
Through its Head Mistress.

2. Futuristic Education Academy,
Gadhinglaj, Taluka : Gadhinglaj,
District : Kolhapur,
Through its President/Secretary.. .. **Petitioners**

.. Versus ..

1. The State of Maharashtra,
Through its Secretary,
School Education & Sports
Department, Mantralaya,
Mumbai – 40032,
2. The State of Maharashtra,
Through its Secretary,
Finance Department, Mantralaya,
Mumbai. 40032,
3. The Director of Education (Primary),
Maharashtra State, Pune,
Having office at, Central Building,
Dr. Annie Bezzant Road, Pune-411001.
4. The Deputy Director of Education,
Kolhapur Region, Kolhapur,
Having office at, Hatti Mahal,
Ganji Galli, Somwar Peth, Kolhapur.
5. The Education Officer (Primary),
Zilla Parishad, Kolhapur,
Having Office at, Forth Floor,
Zilla Parishad Main Building,
Nagala Park, Kolhapur. ... **Respondents**

(6) WRIT PETITION NO.1511 OF 2026

1. Sai English School, Ichalakaranji,
Address : Opp. Gym Hall,
Hatti Chowk, Ichalkaranji,
Taluka : Hatkanangale.
District-Kolhapur,
Through its Head Master.
2. Shri. Sai Shikshan Sanstha,
Tal. Hatkanangale, Dist. Kolhapur,
Through its President/Secretary.

.. **Petitioners**

.. Versus ..

1. The State of Maharashtra,
Through its Secretary,
School Education & Sports
Department, Mantralaya,
Mumbai – 40032,
2. The State of Maharashtra,
Through its Secretary,
Finance Department, Mantralaya,
Mumbai. 40032,
3. The Director of Education (Primary),
Maharashtra State, Pune,
Having office at, Central Building,
Dr. Annie Beasant Road, Pune-411001.
4. The Deputy Director of Education,
Kolhapur Region, Kolhapur,
Having office at, Hatti Mahal,
Ganji Galli, Somwar Peth, Kolhapur.

5. The Education Officer (Primary),
Zilla Parishad, Kolhapur,
Having Office at, Ground Floor,
Zilla Parishad Main Building,
Nagala Park, Kolhapur.

... Respondents

(7) WRIT PETITION NO.1516 OF 2026

1. English Primary School, Vhanali,
Taluka : Kagal, District : Kolhapur,
Through its President/Secretary.
2. Mahatma Shikshan Prasarak Mandal,
Hamidwada, Taluka : Kagal.
District : Kolhapur,
Through its Head Mistress.

.. **Petitioners**

.. Versus ..

1. The State of Maharashtra,
Through its Secretary,
School Education & Sports
Department, Mantralaya,
Mumbai – 40032,
2. The State of Maharashtra,
Through its Secretary,
Finance Department, Mantralaya,
Mumbai. 40032,
3. The Director of Education (Primary),
Maharashtra State, Pune,
Having office at, Central Building,
Dr. Annie Beasant Road, Pune-411001.

4. The Deputy Director of Education,
Kolhapur Region, Kolhapur,
Having office at, Hatti Mahal,
Ganji Galli, Somwar Peth, Kolhapur.
5. The Education Officer (Primary),
Zilla Parishad, Kolhapur,
Having Office at, Forth Floor,
Zilla Parishad Main Building,
Nagala Park, Kolhapur.

... Respondents

Mr. Prashant S. Bhavake, Advocate for all Petitioners.

Mr. V.M. Mali, AGP for Respondent-State in WP St. No.241/2026.

Ms. T.J. Kapre, AGP for Respondent-State in WP No.409/2026 & 1511/2026.

Mr. A.A. Naik, AGP for Respondent-State in WP No.824/2026 & 1510/2026 and 1516/2026.

Mr. R.P. Kadam, AGP for Respondent-State in WP No.1462/2026.

Mr. Pankaj Deokar, Advocate for Respondent No.5 in WP St. No.241/2026.

Mr. Kedar Lad, Advocate a/w Ms. Indrayani Patil and Ms. Poonam Dhotre, Advocates for Respondent No.5 in other writ petitions.

**Coram : Madhav J. Jamdar &
Pravin S. Patil, JJ.**

Date : 02nd April, 2026.

ORAL JUDGMENT (PER : Madhav J. Jamdar, J.)

1. Mr. Bhavake, learned counsel appearing for the petitioners, states that in all these writ petitions common issue is

raised. He submits that even after admitting adequate number of students under the Right of Children to Free and Compulsory Education Act, 2009 (for short 'said Act') and having imparted education to them, the Petitioners are still deprived of the reimbursement of fees/expenses against such students U/s 12(2) of the said Act.

2. Mr. Bhavake, learned counsel for the petitioners, relies on order dated 17.11.2025 passed by Division Bench of this Court in Writ Petition No.11952/2025 and submits that all these writ petitions be disposed of by passing similar order.

3. The learned counsel appearing for the respondents fairly agree that by keeping all the contentions open, the Education Officer can be directed to decide the claim proposal of the petitioners.

4. Perusal of order dated 17.11.2025 passed by this court in Writ Petition No.11952/2025 shows that reliance is placed on the decision of the Division Bench of this Court dated 6.11.2025 passed in the case of ***Progressive Convent School & Junior College .vs. The State and others***. Thus, for the reasons stated

in order dated 17.11.2025 in the case of ***Parivartan High Court, Dattawad and one .vs. The State of Maharashtra and others*** and in the case of ***Progressive Convent School & Junior College .vs. The State and others***, all these writ petitions are disposed of by passing the following order :

- (i) The Petitioners shall approach the Education Officer together with copy of this order within a period of Two weeks from the date of this order. If needed, the Petitioner can file additional documents in support of the pending claim, and can even file a comprehensive claim by attaching such documents those are necessary in support of the claim.
- (ii) Within a period of four months from receipt of copy of this order, the Education Officer shall decide Petitioners 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 Petitioners immediately which, the Petitioners would answer/satisfy accordingly.
- (iv) 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.

- (v) Keeping all contentions open, Writ Petition is disposed of accordingly with no order as to costs.

[Pravin S. Patil, J.]

[Madhav J. Jamdar, J.]