



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

SUO MOTO (PIL) NO. 1 OF 2018

**THE REGISTRAR JUDICIAL HIGH COURT OF JUDICATURE AT
BOMBAY BENCH AT AURANGABAD**

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

....

Ms Rashmi S. Kulkarni, Amicus Curiae for the Petitioner
Mr. A. B. Girase, Government Pleader for Respondent Nos. 1 to 7
Mr. U. B. Bondar, Advocate for Respondent Nos. 6 and 8
Mr. B. B. Kulkarni, Advocate for Respondent No.11
Ms Aachal Y. Raghuwanshi, a/w A. S. Chaudhary h/f Mr. Deelip
Bankar, Advocates for Respondent Nos. 6 and 8

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 12.06.2024

PER COURT :-

1. Office to accept the affidavit-in-reply being filed by the office of the learned Government Pleader. We are informed that the copies are shared with the learned Amicus Curiae.
2. Considering the conspectus of the PIL Petition, we are of the view that a committee headed by a retired High Court Judge, needs to be constituted to look into the reports generated

by the office of the Principal District Judges of all the Districts in the State of Maharashtra with regard to the infrastructural facilities and amenities for the students taking education in the Zilla Parishad / Local Bodies /Corporation schools.

3. The learned Amicus Curie informs us on the basis of the affidavit-in-reply filed by the State of Maharashtra, that an amount of Rs.998.79 Crores is generated by the Union of India under the Right of Children to Free and Compulsory Education Act, 2009, for the academic year 2023-2024, for the State of Maharashtra. The State contributes an amount of Rs.708 Crores. The issue is that if the funding is of this magnitude, why are the schools, which should be benefited by such fundings, are in a bad condition as reflected from the various reports.

4. We permit the learned Amicus Curiae, as well as the learned Government Pleader and the Standing Counsel for the Union of India, to make their suggestions on the next date as regards the manner in which such committee can be constituted. After receiving such suggestions, we would consider passing orders on the constitution of such committee.

5. The learned Advocates are also at liberty to suggest whether local committees need to be constituted at the District level comprising of retired Judicial Officers of the rank of the Principal District Judge, to be assisted by an in-service Police Officer or a retired Police Officer, not below the rank of the Deputy Superintendent of Police and a retired Bureaucrat not below the rank of the Deputy Collector.

6. We direct the learned Government Pleader to give us the breakup / details as to how such funding by the State Government and the Union of India, is expended and under particular heads. The details as regards the spending on infrastructural facilities as well as on various amenities being provided to the teachers and the students, should also be spelt out. Let such affidavit-in-reply be filed on or before 28.06.2024.

7. Stand over to 04.07.2024.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]