

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 10105/2017

[Arising out of impugned final judgment and order dated 20-12-2016 in WP No. 6415/2016 passed by the High Court of Judicature at Bombay at Nagpur]

DINESH BIWAJI ASHTIKAR

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent(s)

MR. SENTHIL JAGADEESAN, LEARNED SENIOR ADVOCATE TO ASSIST THE HON'BLE COURT IN THIS MATTER VIDE ORDER DATED 15.03.2024. [TO BE TAKEN UP IMMEDIATELY AFTER FRESH MATTERS]

Date : 28-01-2025 This petition was called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE MANOJ MISRA**

**For Petitioner(s) :Mr. Varinder Kumar Sharma, AOR
Mr. Bishan Dass, Adv.
Mr. Y K. Prasad, Adv.**

**For Respondent(s) :Mr. Omkar Deshpande, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR**

**Mr. Senthil Jagadeesan, Sr. Adv. (A.C.)
Ms. Suriti Chowdhary, Adv.
Mr. Anuj Bhave, Adv.
Mr. Punit Manoj Agarwal, Adv.**

**UPON hearing the counsel the Court made the following
O R D E R**

1. This petition raises an important question about the enforcement of positive rights created under the Right of Children to Free and Compulsory Education Act, 2009.
2. By our order dated 15.03.2024 we had appointed Mr. Senthil Jagadeesan, learned Senior Advocate as an *amicus curiae* to assist

the case. Learned Amicus has filed written submissions and also taken us through the relevant provisions of the Act, Rules and the guidelines.

3. Having considered the matter in some detail we are of the opinion that it is necessary to have the Ministry of Human Resource Development (Department of School Education & Literacy) and also the National Commission for Protection of Child Rights as party respondents to the present proceedings. We hereby implead them as party respondents. Registry shall take steps to amend the cause title and issue notice to the newly impleaded respondents.

4. We would also request Ms. Aishwarya Bhati, learned Additional Solicitor General to assist the Court. The registry shall supply a copy of the Special Leave Petition and also the written submissions of the learned amicus to her.

5. List after three weeks.

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
COURT MASTER (NSH)