

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5338 OF 2015

MADHURI ISHWAR RAJPUT
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Petitioner : Mr. Warad Sunil V.
AGP for Respondents 1 and 2: Mr. D.B. Bhange

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**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATED : 2nd JULY, 2015

P.C. :-

1. Mr. Warad, the learned counsel submits that there were 26 wrong questions which the expert committee found. As such, 26 marks were given to all candidates in respect of the PGM-CET-2015 examination. The learned counsel submits that 17 questions were such which were violative of Rule 10.5.1 of the Post Graduate Medical Entrance Examination Rules. As per the said Rules, the questions will have only one correct answer out of four options, but these 17 questions had two correct answers from the four given options. This is also certified by the subject expert. According to the learned counsel, because of the same, the students were puzzled. They were confused as the said answers were in violation of Rule 10.5.1. The respondents be directed to give 17 marks to the

students who have attempted those 17 questions.

2. We have heard the learned AGP also.

3. The subject expert has opined that there are two correct answers in 17 questions. These 17 questions have two options which are correct and hence these are evaluative. The evaluation of these 17 questions be done as per the two correct answers suggested by the subject experts. One mark each for the 17 questions will be granted to those candidates who have marked either one of the two correct answer.

4. As such, no prejudice would be caused to the students if the students have attempted either of the two correct answers. The students are given full marks for the same. In the light of the above, there would be no prejudice to any of the students. Even otherwise, the admission process is complete.

5. Considering the above, no interference is called for. Writ Petition is disposed of. No costs.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)