

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.985 OF 2014
WITH
CIVIL APPLICATION NO.2925 OF 2014**

Shri Sachin Baliram Shinde

....Petitioner.

Versus

The State of Maharashtra & Ors.

...Respondents.

Mr. Sanjay A. Ghaisas i/by Mr. A.M.Joshi, advocates for the Petitioner.
Ms. S.S.Bhende AGP for the respondent nos.1 and 2-State.

**CORAM : SMT. VASANTI A.NAIK
& SHRI C.V.BHADANG, JJ.**

DATED : February 17, 2015.

P.C.:

By this petition, the petitioner seeks a direction to the respondents to re-value the paper of the petitioner in the subject of Content and Method of the D.Ed. Course. The petitioner seeks a declaration that the results of the petitioner should be declared after the re-valuation of the paper and the petitioner should be declared as successful.

On hearing the learned counsel for the parties, it appears that

the reliefs sought by the petitioner cannot be granted. As per the rules of the Maharashtra State Council of Education, there is no provision for re-valuation and re-valuation is not permitted. It appears from the affidavit-in-reply filed on behalf of the respondent- Parishad that at the request of the petitioner, the photo-stat copies of the answer sheet had been supplied to the petitioner and his answer-sheet was re-checked and it was found that there was no change in the marks secured by the petitioner. Since the rules of the Parishad do not provide for re-valuation, the petitioner can not seek the same. Also, the petitioner cannot effectively challenge the rule prohibiting re-valuation as similar rule has been upheld by the Hon'ble Supreme Court and this Court in various decisions.

In view of the aforesaid, the writ petition is dismissed with no order as to costs.

With the dismissal of the writ petition, the civil application stands disposed of.

(C.V.BHADANG, J.)

(MRS. VASANTI A.NAIK, J.)