

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10043 OF 2016

Mayuri d/o Maharudra Garje

Petitioner

Versus

The State of Maharashtra and another

Respondents

Mr.N.L. Jadhav advocate for the petitioner

Mr.V.M. Kagne, AGP for Respondent No.1

Mrs. Surekha P. Mahajan for respondent No.2.

CORAM : R.M. BORDE &

K.K. SONAWANE, JJ

(Date : 26th October, 2016.)

PER COURT :-

1 The petitioner is objecting to the order passed by respondent Board, directing imposition of punishment against the petitioner/student, cancelling her performance at SSC Examination and further prohibiting her from appearing for next examination, on account of her indulging in malpractices during the examination.

2 The allegation against the petitioner is that, she has applied whitener for erasing certain hand-written material in the answer sheet. Under the instructions given to the candidates, a student is prohibited to apply whitener or correction ink, while writing answer paper. Such an action may result in tracking the identity of

the candidate. There are Regulations framed by the SSC Board in respect of conduct of enquiry. The petitioner was extended an opportunity of hearing by issuing a notice, specifying the allegations against her. The petitioner has answered the notice and has admitted that, she has used whitener while writing the answer sheet. The enquiry committee, in observance of the procedure prescribed under the Regulations conducted the enquiry and directed imposition of penalty as referred to above. The enquiry committee has taken a decision in respect of imposition of the punishment, in conformity with prescription under the regulations. There is neither allegation of breach, in respect of observance of principles of natural justice, nor there is any procedural lacuna in the conduct of enquiry. The punishment that has been inflicted is also as prescribed under the Regulations.

3 In this view of the matter, no interference is called for. The writ petition is devoid of substance and stands dismissed.

(K.K. SONAWANE, J)

(R.M.BORDE, J)