

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.595 OF 2016

(Babnaji Maharaj Kala Va Vigyan Kanishtha Mahavidyalaya and others vs. The Maharashtra State Secondary and Higher Secondary Education Board)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri A.I. Sheikh, Advocate for petitioners.
Smt. T.D. Khade, Advocate for respondent.

CORAM : B.R. GAVAI AND
P.N. DESHMUKH, JJ.
DATED : FEBRUARY 9, 2016

The petitioners have approached this Court seeking a direction to respondent to approve petitioner no.1 School as Centre for H.S.C. examination.

In the affidavit-in-reply filed by respondent, it is stated that as per norms fixed by the respondent Board, minimum 350 students are required to provide a Centre at a particular place. It is submitted that the petitioner no.1 has submitted along with its proposal 'no objection certificates' only of two Schools and the total intake capacity even after considering number of students in the said two Schools comes to only 120. It is

further stated that the facilities at petitioner no.1 School were examined by a Committee consisting of Assistant Secretary, Divisional Board, Amravati, Deputy Education Officer, Senior Superintendent of Divisional Board and Extension Officer, Panchayat Samiti, Digras. The report of the said Committee is also placed on record. The Committee has given a negative recommendation.

In that view of the matter, we are not inclined to entertain the present petition. In any case, stage has reached wherein direction to start a new Centre would create various complications. The petition is, therefore, rejected.

However, if the petitioner no.1 is in a position to get no objection of nearby Schools, it will always be at liberty to apply for the Centre for the next academic year. If such application is made, the same will be considered by the respondent Board in accordance with law.

JUDGE

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