

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 4164 OF 2016

Roshan Manohar Patil

-vs-

Nisha Saraf (Director) CDS School, Nagpur and others

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

Court's or Judge's Orders.

Petitioner in person.

CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.

DATE : 21.07.2016.

By this writ petition, the petitioner seeks a direction against the respondents to admit the niece of the petitioner to the 10th Standard of Indian Certificate of Secondary Education as early as possible and grant 90% marks to her as internal examination marks.

The petitioner, who appears in person, has a grievance that his niece, who was studying in the 9th Standard in a school, which takes up Indian Certificate of Secondary Education Course, was not awarded appropriate internal marks in the 9th Standard Examination. It is stated by the petitioner, who appears in person, that in the 9th Standard itself, the school taught 80% of the course that was liable to be taught in the 10th Standard, with the result that the niece of the petitioner was not able to answer all the questions properly. It is stated that the teachers, who awarded internal marks to the niece of the petitioner, were not qualified and did not have proper training and, therefore, this Court must direct the respondents to grant of 90% internal marks to the niece of the petitioner, so that she

would be successful in the 9th Standard Examination and would be entitled to admission in the 10th Standard. It is stated that though a complaint in this regard is made to the Police Authorities, nothing is done in the matter.

We are afraid that the issues involved in this case cannot be decided, in exercise of the writ jurisdiction under Article 226 of the Constitution of India. It would not be to this Court to consider whether the internal marks are appropriately granted to the niece of the petitioner and that whether the niece of the petitioner is entitled to more marks in theory papers also. It is an admitted position that the niece of the petitioner has failed in five subjects in the 9th Standard and, therefore, the School Authorities have not permitted the admission of the niece of the petitioner in the 10th Standard. We also do not find any merit in the case of the petitioner that the Police Authorities did not look in the matter, as it would not be for the Police Authorities to consider the grievance of this nature.

In the result, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE

C E R T I F I C A T E

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : G.S.Khunte,
P.A.to Hon'ble Judge

Uploaded on : 25/07/2016