

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

WRIT PETITION NO. 1244 OF 2017

The Dnyan Prasarak Mandal
Yermala

...Petitioner

VERSUS

The State of Maharashtra
and others

...Respondents

.....

Shri Girish Nagori, advocate h/f
Shri D.A.Madake, advocate for the petitioner
Smt. Vaishali Patil, A.G.P. for respondent no.1
Smt. Asha Rasal, advocate for respondent no.2

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CORAM : S.V.GANGAPURWALA & K.L.WADANE, JJ.

DATED : 10th FEBRUARY, 2017

O R D E R :

Mr. Nagori, learned counsel for the petitioner states that the petitioner runs the school since 1988. The petitioner was recognized as a center for S.S.C. examination and since 1995 the petitioner is recognized as a center for H.S.C.

(2)

2. Learned counsel submits that on last two occasions also respondent had cancelled center allotted to the petitioner. This Court protected the petitioner. Learned counsel submits that now the petitioner no.2 school is attached to center at Kallam which is at a distance of 20 to 25 km. Three schools have given consent for getting attached to the petitioner no.2 school for H.S.C. examination. The said aspect is also not considered. The convenience of the students is required to be considered. Lot of hardship will have to undergo by students.

3. Mrs. Rasal, learned counsel states that distance between petitioner no.2 school and the center to which it is attached is 5 kms. Learned counsel submits that the petitioner no.2 school has only 92 students. Hall tickets are issued. Print material is also supplied. The order cancelling the center of the petitioner dated 8.12.2016 is also communicated.

(3)

4. We could have considered the case of the petitioner had the petitioner approached this court earlier. The order cancelling the center of H.S.C. examination of petitioner no.2 was passed on 8.12.2016. The petitioner has approached this Court after lapse of one month. The hall tickets are also issued as contended by the students of those colleges which has given consent to be attached to petitioner no.2. Those 3 schools are also attached to other centers. Considering the time lapse and other facts which are submitted about the students being less, we cannot come to the help of the petitioner. The petitioner may apply for the center next year, which application would be considered by the respondents on its own merits.

5. Writ Petition accordingly disposed of. No costs.

(K.L.WADANE, J.)

(S.V.GANGAPURWALA, J.)

