

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2093 OF 2017

Ku.Yogesh s/o Balasaheb Aarote

Petitioner

V E R S U S

The Maharashtra State Board of
Secondary and Higher Secondary,
Pune Divisional Board, Pune,
through its Divisional Secretary

Respondent

Mr. S.K. Shinde, Advocate for the petitioner
Mrs. Surekha Mahajan, Advocate for the respondent

CORAM : S.V.GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.
DATE : 24th MARCH, 2017

PER COURT :

1. Mr. Shinde, learned counsel for the petitioner submits that the punishment imposed on the petitioner is too harsh and disproportionate. The petitioner is a minor, therefore, he did not realize the consequences of her conduct. In over enthusiasm, he appeared for the examination. In view of this, the Court may take sympathetic view.

2. Learned counsel for the respondent submits that the petitioner was student of 11th standard and

appeared for the another student for 12th standard examination.

3. Rule 31 (2) of the Maharashtra Prevention of Malpractices at University, Board and other specified Examinations Act, 1982 is applicable in the present matter. Perusal of the said provision it is manifest that the fixed punishment is provided for such acts.

4. The act of the petitioner certainly has to be deprecated. If we interfere in the matter, it would encourage such acts. As such, no case is made out for interference of this Court under Writ jurisdiction.

5. The Writ Petition as such is disposed of. No costs.

(SANGITRAO S. PATIL, J.)

(S.V. GANGAPURWALA, J.)

