

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

971 WRIT PETITION NO. 2467 OF 2017

YASHWANT SECONDARY AND HIGHER SECONDARY SCHOOL BORGA
THROUGH ITS HEADMASTER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Petitioners : Mr. Thombre S. S.

AGP for Respondent No.1 State: Mr. Y. G. Gujrati

Advocate for Respondent No.2 : Mrs. R.R. Mane h/for
Ms. Surekha Mahajan

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

DATE : 23rd February, 2017

ORDER:

1. Mr. Thombre, the learned counsel for the petitioner submits that the petitioner college is allotted Centre for conducting HSC Examinations since last two years. This year also, it was allotted the Centre. Even hall tickets are issued to the students of the petitioner college, stating centre to be the petitioner college for the HSC Examination.

2. The learned counsel submits that the HSC Examinations are to commence from 28.02.2017. Abruptly, vide communication dated 20.02.2017, that too a copy of which, which was marked to the petitioner, suggests that Centre of the petitioner school is cancelled. The petitioner school has 272 students. The same is

more than the norms prescribed. There were other schools which have given consent for being attached to the petitioner Centre. The total strength of the students at the petitioner Centre was 369. The act of abruptly cancelling the Centre of the petitioner would put the students at inconvenience.

3. The learned counsel for the respondent Board submits that the decision was taken after hearing the petitioner. Initially the students of Saraswati Bhuwan Junior College, Wadod Bajar were attached to the petitioner Centre. They had filed writ petition. During the pendency of the writ petition, hearing was given to them alongwith the petitioner and then the Centre is allotted to Saraswati Bhuwan Junior College, Wadod Bajar. According to the learned counsel, now, at the eleventh hour, it may not be possible to change the Centre.

4. We have considered the submissions.

5. It is expected that the Exam Centres are not to be changed at the eleventh hour and abruptly.

6. The petitioner was allotted Centre for conducting HSC Examinations for total 369 students.

The petitioner school itself has 272 students. All the students of the petitioner school are issued with the hall tickets for appearing to the examination at the petitioner Centre. The learned counsel for the petitioner, on instructions, submits that those hall tickets are intact and no further endorsement of change of Centre has been made on the same.

7. The petitioner Institution has got students more than the minimum prescribed as per the norms. Up to 20.02.2017 the students of the petitioner school are made to understand that their Centre is at Petitioner college and just 8 days prior to the examination, the said Centre is abruptly sought to be changed. The same is improper.

8. Considering the statement made that the hall tickets issued to the students of the petitioner college to appear at the petitioner Centre are intact and endorsement of change of Centre has not been made on their hall tickets, we pass following order:

O R D E R

(a) 272 students of the petitioner College appearing for HSC examination shall be allowed to appear at the petitioner Centre.

(b) So far as the students of other schools which were earlier attached to the petitioner centre, we leave it to the Board to consider about their Centre.

9. Writ petition is accordingly disposed of. No costs.

10. Authenticated copy be given.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC