

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.3155 OF 2017**Geetaamrut Shaikshanik Samajik Va Sansodhan Pratisthan
Shevgaon Vs. The State of Maharashtra and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.P.S.Pawar, advocate for the petitioner.
 Mrs.M.A.Deshpande, Additional Government Pleader for the State.
 Ms.Surekha Mahajan, advocate for Respondent Nos.2 and 3.

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

Date : 08.03.2017.

PER COURT :

1. Heard.
2. The present petition depicts the pathetic and the sorry state of affairs on the part of the Management. The students undergoing 10th standard examination are placed at the mercy of the Management and the Board. Whosoever is at the fault, the students have suffered. The students could not appear for examination being held in this month.
3. The Management of the petitioner was required and is expected to be diligent. On the contrary, it appears that the

petitioner was negligent. The examinations were to commence from 7.3.2017, the petitioner has approached this Court on 6.3.2017. On 6.3.2017, we had passed an order asking the Respondents to allow the students to appear for the examination. In spite of the said order, the students of the petitioner institution were precluded from appearing for the examination. Allegations are being made by the petitioner and the Respondent Nos.2 and 3 against each other.

4. The present matter was certainly not an adversarial litigation but was concerning the right of the students to appear for 10th standard examination. Because of the attitude of the petitioner and Respondent Nos.2 and 3, the students of the petitioner institution have been refrained from appearing for the examination. The petitioner and Respondent Nos.2 and 3 could have dealt with the issue in a proper manner, so that the students who are not at fault could have appeared for examination.

5. It is submitted that now the examinations which were earlier used to be held in October/November are disbanded and the Board conducts one more examination for the 10th standard students in the month of June, so that year of the students does not go waste, that is the only solace to the students of the petitioner institution now.

6. The petitioner shall take steps immediately, so that the students of the petitioner institution would be eligible to appear for

the examination to be conducted in June, 2017. The Respondent Nos.2 and 3 shall also consider the plight of the students and take decision accordingly. The petitioner and Respondent Nos.2 and 3 shall resolve the issue by the end of this month, so that students of the petitioner institution would know where they stand and if the issue is not resolved between the petitioner and Respondent Nos.2 and 3 by the end of this month, the students of the petitioner institution will have sufficient time to redress their grievances.

7. Before parting, we can not but express our displeasure for the manner in which the issue has been dealt with by the petitioner and Respondent Nos.2 and 3. They are expected to act with responsibility and in a matured manner. The authorities and the petitioner shall see that such acts of nonfeasance and malfeasance are not repeated again.

8. The steps shall be taken by the petitioner and Respondent Nos.2 and 3, so as to enable the eligible students of the institution to appear for the examination in June, 2017.

9. The Writ Petition is disposed of. No costs.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.08.03.2017.
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