

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3689 OF 2017

Asmita d/o Ramakant Bhurkapalle

Petitioner

V E R S U S

The State of Maharashtra, through
the Secretary, Health Department,
Mantralaya, Mumbai & three others

Respondents

Mr. T.M. Venjane, Advocate for the petitioner

Mr. B.A. Shinde, A.G.P. for the respondent/State

Mr.K.M. Suryawanshi, Advocate for respondent Nos.2 & 3

Mr. V.B. Jadhav, Advocate for respondent No.4

**CORAM : S.V.GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : 24th MARCH, 2017

PER COURT :

1. Mr. Venjane, learned counsel for the petitioner submits that the petitioner has been shown

to have been given less marks in practical. The students those who have got the marks equal to the petitioner or less than him in Theory subject have obtained more marks. It is submitted that the practical paper of the petitioner is required to be revalidated.

2. Mr. Suryawanshi, learned counsel for the respondent Nos. 2 and 3 submits that there is no provision of revaluation of the marks of the candidate. At the most, there is facility of re-totalling the marks of the candidate. The petitioner has applied for the same.

3. Clause VI of the Rules of the Maharashtra University of Health Sciences Act, 1998, as pointed out, states that the revaluation facility shall not be available to the candidates. The existing facility of the experts for re-totalling of marks of theory or practical answer-sheet is allowed. Learned counsel for the University has made a statement that as per application of the petitioner, the University would

Verify/Re-total the marks of the petitioner. In view of such statement, the Writ Petition is disposed of. No costs.

(SANGITRAO S. PATIL, J.)

(S.V. GANGAPURWALA, J.)

SRM/24/3/17