

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.8487 OF 2017

Kum. Anjali Anil Gaikwad

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.D.A.Madake, advocate for the petitioner.

Mrs.M.A.Deshpande, A.G.P. For Respondents No.1 to 5.

Ms.Surekha Mahajan, advocate for Respondent No.6.

Mr.A.B.Chalhak, advocate for Respondent No.8.

CORAM : R.M.BORDE AND

A.M.DHAVAL, JJ.

DATE : 27th July, 2017.

P.C. :

1 The petitioner prays for issuance of directions to the respondent-board to allow 10 additional marks on account of her participation in extra curricular activities.

2 The petitioner claims that she passed Intermediate Arts examination and as such, in view of the policy prescribed by the Board, she is entitled to claim 10 additional marks.

3 An affidavit-in-reply has been presented on behalf of the respondents wherein it has been stated that the last date prescribed for receipt of proposals from the concerned Head Masters of the schools was 24.02.2017. However, in the instant matter, the proposal has been submitted by the Head Master to the Board after prescribed date. Apart from this, it has been contended that the circular issued by the Board on 31.03.2017,

prescribes that the proposals tendered by the Head Master shall be accompanied by true copies of the certificates evidencing participation of the student in extra curricular activities.

4 Admittedly, the Head Master of the school, did not forward true copy of the certificate issued to the petitioner and the certificate was forwarded to the Board only after declaration of results. The results of the examination were declared on 06.05.2017 and until declaration of results, the deficiency was not removed. Since the procedure prescribed for awarding marks has not been adhered to, the result declared by the Board need not be directed to be amended.

5 For the reasons recorded above, request made by the petitioner, in the instant petition, does not deserve to be considered in exercise of extraordinary jurisdiction conferred upon this Court under Article 226 of the Constitution of India.

6 Writ Petition is devoid of substance and hence stands dismissed.

A.M.DHAVALÉ
JUDGE

adb/wp848717

R.M.BORDE
JUDGE