

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.200 OF 2016

Krishnakant R. Mane & Anr .. Petitioners
Versus
Union of India & Ors .. Respondents

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Mr.V.P. Patil for the petitioners.
Mrs.M.P. Thakur, AGP for the State.

CORAM: DR. MANJULA CHELLUR, CJ. &
N.M. JAMDAR, J.
DATED: 1st SEPTEMBER, 2017

P.C.:-

1 The petitioner who is visually impaired seeks following direction in this PIL.

(a) To direct Respondent No.2 State of Maharashtra to follow Annexure – A by removing all proprietary software produce names from the syllabi of MSA-CIT/MS-CIT (Maharashtra State Certificate in Information Technology), schools, colleges, universities and other Government recognized education institutions and other State Government offices and institutions, particularly those associated with rural students or blind students. In an exception, use of proprietary software be allowed only in an extreme case where a free and open alternative is totally unfit, unusable and featureless for major part of a given domain of concern.”

2 We find that it would be appropriate if the issue is first looked into by the Chief Secretary, State of Maharashtra, who can take a decision whether it is feasible to accept the suggestions of the petitioner considering all aspects, including technical and administrative issues.

3 Registry shall send a copy of the PIL to the Chief Secretary, State of Maharashtra, who shall consider the same as the representation of the petitioner and take a necessary decision, if he finds that the suggestions of the petitioner are feasible.

4 Chief Secretary, if advised, may call the petitioner for a personal meeting to understand his suggestions.

5 PIL is disposed of accordingly.

(N.M. JAMDAR, J)

(CHIEF JUSTICE)