

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO.1053 OF 2016

(Yuvraj s/o Kawduji Bhadade ..vs.. The State of Maharashtra and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI AND
ROHIT B. DEO, JJ.**

DATED : 12-06-2017

Heard Shri P.S. Tidke, Advocate for the petitioner and Shri S.R. Bhongade, Advocate for respondent No.3.

Only question is whether answer given by respondent No.3 to question 49 is correct or not. Question was which village in Bhandara district has been awarded in Gram Swachta Abhiyan. There were four options. Option "C: was "Bid Sitepar". Option "D" is "Rengepar Kohali". Respondent No.3 has chosen Bid Sitepar as correct answer.

The petitioner submits that Rengepar Kohali is correct answer and one mark has been erroneously given to respondent No.3 by accepting Bid Sitepar as correct option and one mark was rightly not allotted to respondent No.3 for selecting the option "C".

Assistant Government Pleader has invited our attention to the discussion in this respect contained in the judgment by the Maharashtra Administrative Tribunal. We find that in the year 2009-2010 and 2010-2011 Bid Sitepar has been awarded in Saint Gadgebaba

Gram Swachata Abhiyan. Thereafter in later year i.e. 2010-2011 Rengepar Kohali has been awarded at State level.

Advocate Shri P.S. Tidke submits that last award and year was relevant. Similarly award ought to have been at State level. We do not find any such indication in question No.49.

Maharashtra Administrative Tribunal has found that in present scenario both answers needed to be as correct one. Accordingly after accepting Bid Sitepar as correct answer, one mark is given to respondent No.3. Therefore, he has secured more mark than the petitioner.

We do not find any substance in the petition. The petition is disposed accordingly.

JUDGE

JUDGE

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