

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

WRIT PETITION NO. 3128/2017.

Natasha d/o Satish Ramteke.

-VERSUS-

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

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

DATE : AUGUST 04, 2017.

Heard Ms. B.M. Kasare, learned Counsel
for the petitioner, Shri A.V. Palshikar, learned A.G.P.
for respondent nos. 1 to 4. Shri S.M. Puranik, learned
Counsel for respondent nos. 5 and 6 is seeking time to
file reply.

2. It is not in dispute that for 3rd Semester
studies petitioner was allowed to select subject
'Principles of Management', however, her internal
assessment marks have not been forwarded by her
college, as her performance could not be evaluated.
With the result, her performance in 3rd Semester
examination itself has not been declared and result

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has been withheld by the University.

3. Learned A.G.P. appearing for respondent nos. 1 to 4 upon instructions states that at the relevant time, said subject was not available and hence, the College was helpless. However, now necessary arrangements have been made and internal assessment of petitioner can be worked out within a period of four weeks. He submits that accordingly internal assessment marks can be forwarded to respondent no.6, who thereafter can declare the result.

4. Accordingly, we direct respondent nos. 3 and 4 to undertake necessary exercise to evaluate internal assessment of petitioner for the subject 'Principles of Management' within a period of four weeks and forward her marks accordingly to respondent no.6 within next one week. Respondent no.6 shall treat this assessment marks as relevant for her 3rd Semester examination conducted in November / December, 2016 and accordingly considering those marks her result in that examination shall be declared within next one week.

5. Though no specific prayer has been made in the petitioner, Ms. Kasare, learned counsel for petitioner submits that during the pendency of

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petition, the petitioner has appeared for 4th Semester examination in May, 2017. Though her subject was 'Banking Operation and Services' University has mentioned subject as 'Experimental Techniques in Physics' and she has been shown absent in that subject. She points out that her college has forwarded internal assessment marks of 'Banking Operation and Services' to University, and University has erroneously not looked into it by treating her as a student who has opted for subject 'Experimental Techniques in Physics'. University has till date not filed reply.

6. Shri Puranik, learned counsel appearing for respondent nos. 5 and 6 points out that this grievance has not been made by petitioner in the petition.

7. We do not wish to go into the technicalities, as the error is apparent and it prima facie appears that the petitioner had opted for subject 'Banking Operation and Services'. Accordingly, we direct the respondent University to verify the records and correct the error if any, within a period of three weeks. After the said error is corrected, result of petitioner for 4th Semester examination shall also be declared within the period already stipulated above.

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8. In view of above, Writ Petition is allowed and disposed of. No costs.

9. Copy of this order be furnished to learned counsel for the parties to act upon.

JUDGE

JUDGE

Rgd.