

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 1534 OF 2018

Arts, Commerce and Science
Junior College, Ratnapur,
Taluka Manwat, Dist. Parbhani,
through its Principal

..Petitioner

Versus

The State of Maharashtra and anr.

..Respondents

Mr S.S. Thombre, Advocate for petitioner
Mr K.N. Lokhande, A.G.P. for respondent no.1
Ms Surekha Mahajan, Advocate for respondent no.2

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVAL, JJ**

DATE : 16th February 2018

PER COURT

1. Mr Thombre, learned Counsel for the petitioner submits that since 2006, the petitioner-institution was having center of 12th Standard examination. A show-cause notice was issued to the petitioner about the deficiencies. The petitioner replied clarifying the objections. According to learned Counsel, more than 600 students appear every year. There are sixteen halls having permanent construction. 650 students can be accommodated. This aspect has not been considered by the board. According to learned Counsel, in a high handed manner the respondents have taken action. Even, communication is not made to the petitioner about decision taken by the respondents of discontinuing the petitioner-institution as center for 12th Standard.

2. We have also heard learned Counsel for respondent no.2.
3. It appears that the petitioner-institution was a center for 12th Standard examination since 2006 continuously and more than 650 students were appearing in the examination. The respondent no.2 ought to have communicated the petitioner its decision well in advance so as to give the petitioner time to redress its grievance. It appears that the respondent - board did not communicate their decision after receiving the reply from the petitioner to the show-cause notice issued by them. After the reply is received, the respondent - board ought to have satisfied themselves about the reply given, more particularly, when for continuous period of ten years, the petitioner-institution was center for 12th Standard examination. The respondents implemented the policy of no home center, still the petitioner-institution could have been considered as a center for students of others college to appear for the examination.
4. Be that as it may. As now the examinations are to commence from 21st February 2018, hall tickets are also issued and students of other institution now cannot be intimated about the change, it would not be feasible to make changes at the eleventh hour. The respondents shall consider the request of the petitioner for home center positively for the next year.
5. Writ Petition disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)