

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5239 OF 2017**

Jay Bhavani Krida Vasanskritik Mandal
& Ors.

.. Petitioners

v/s.

Maharashtra Knowledge Corporation Limited
& Anr.

..Respondents

Mr. Akshay Petkar for the Petitioner.

Mr A.P.Vanarse, AGP for the Respondent/State.

Ms. Deepa Kamath for the Respondent No.1.

CORAM : RANJIT MORE &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED : JUNE 28, 2018.

P.C. :

1. Heard. The petition is filed for following reliefs:

“b) The Respondents be directed to conduct a retest of the petitioners for OnCet examination and consider their candidature for having a Center for MC-CIT and other eligible courses as per their rules and in accordance with law on any date which is convenient to all concerned.

c) The Respondents be directed that computers which have been certified to be in good working condition by an expert be assigned to them at the time such re-test is conducted.”

2. By this petition, the petitioner is seeking direction to conduct

re-test for OnCet examination for the purpose of opening centres for MS-CIT and other eligible courses. The re-test is sought on account of faulty computers and slow connection due to which the computers were hanged.

3. The record reveals that the petitioner no.4 had fulfilled the criteria of securing minimum marks in respect of MSCIT Centre Co-ordinator and he has secured 29 marks. However, in respect of MS-CIT Learning Facilitator none of the petitioner nos.2, 3 and 4 could fulfill the criteria of securing minimum required marks i.e. 24 marks in the OnCet examination .

4. The record further reveals that the petitioner nos.2 and 4 could not attempt all the questions in allocated time of 60 minutes, whereas the petitioner no.2 and 4 attempted only 45 and 50 questions and secured 19 and 20 marks respectively.

5. Suffice it to say that in exercise of writ jurisdiction, no retest can be ordered at the behest of every unsuccessful candidate. Petition is devoid of merits and is accordingly dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)