

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO. 4810 OF 2017
(Production board dated 07/03/2018)**

Kiran Avinash Fade and Ors. ..Petitioners

Vs.

The State of Maharashtra and Ors. ...Respondents

Mr. Umesh Pawar for the Petitioners.

Mr. Roop Basu i/by The Law Point for the Respondent no. 2.

Mr. Sandeep Babar, AGP for the Respondent no. 1 State.

**CORAM : SHANTANU KEMKAR &
M.S. KARNIK, JJ.**

DATE : MARCH 08, 2018

P.C.:

Parties through their counsel.

2. We have gone through the reply filed by the respondent no. 3 Maharashtra State Board of Vocational Education. In paragraphs 8, 9 and 12 the following averments have been made :

“8. According to Government Resolution dated 28/09/2012 Diploma Course in Construction Surveying is alternate qualification to surveyor of I.T.I. institution. I say that, there is a change in course name in the Govt. resolution dated 28/9/2012 about the nomenclature of the course. To correct the mistake proposal to that effect is sent to Govt. of Maharashtra Department of Skill Development and Entrepreneurship Development, Manatralaya,

Mumbai through the Director of Vocational Education & Training Mumbai on dt. 15/05/2017 to get it changed to the existing course name i.e. "Diploma Course in Construction Surveying" in place of "Certificate Course in Construction Surveyor". Copy of the letter dated 15.5.2017 is annexed and marked as "Exhibit-2". The course run by Maharashtra State Board of Vocational Education Examination Mumbai is Diploma Course in Construction Surveying.

9. With reference to Para no. 9 of the petition, I say that this respondent received a letter from the Petitioner dated 03/04/2017 requesting to make the correction in G.R. dated 28/9/2012 about the nomenclature of Diploma Course in Construction Surveyor. It should be Diploma in Construction surveying instead of "C.C. in Construction Surveyor". As mentioned in above para no. 8, this respondent has immediately taken action & sent a proposal to the Govt. for correction in the said G.R.

12. With reference to Para no. 12 of the petition, I say that, there is a change in course name in the Govt. resolution dated 28/9/2012 about the nomenclature of the course. To correct the mistake proposal to that effect is sent to Govt. of Maharashtra Department of Skill Development and entrepreneurship Development, Mantralaya, Mumbai through the Director of Vocational Education & Training Mumbai on dt. 15/05/2017 "Diploma Course in Construction Surveying" in place of "Certificate Course in Construction Surveyor". The course run by Maharashtra State Board of Vocational Education Examination Mumbai is Diploma Course in Construction Surveying."

3. In the circumstances, it is clear that there is a typographical error in the GR dated 28.9.2012 Exhibit "F" which has been filed by the respondent no. 3 as Annexure "I" at page 143. The said typographical error needs to be corrected by the State Government by modifying/amending the GR.

4. As a result, we dispose of this petition by directing the State to amend/correct the GR in terms of the affidavit filed by the respondent no. 3 so as to make the change/correction in the course name in the said GR. Let this be done by the State as expeditiously as possible preferably within four weeks from today. We are passing this order so that the benefits to the aspirants can be extended as expeditiously as possible.
5. With the aforesaid directions, writ petition is disposed of.
6. Parties to act on authenticated copy of this order.

(M.S. KARNIK, J.)

(SHANTANU KEMKAR, J.)