

Vilas Vijay Thakare ... **Petitioner.**

The Chairman University Grant  
Commission and another. ... **Respondents.**

Mr. Dhanure Bramhanand M. Advocate for the petitioner.  
Mr. B.B. Kulkarni, Advocate for the respondent No. 1.  
Mr. Mr. V.P. Golekar, h/f Mr. A.R. Joshi, Advocate for the respondent  
No. 2.

...

**CORAM : S. V. GANGAPURWALA AND  
MANGESH S. PATIL, JJ.**

**DATE : 08/07/2019**

**PER COURT :**

1. Mr. Dhanure the learned advocate for the petitioner submits that the respondents have not considered the objection raised by the petitioner to the answer-key. The question No. 5 of Life Science Paper-3, is answered correctly by the petitioner. The correct answer is Option 'D'. However, in the interim as well as in the final answer-key, the answer of the same question has been given 'A'. The learned counsel submits that even referring to the biology text book, the answer of option 'D' would be correct. Learned counsel submits that the

legitimate right of petitioner is being negated. For the exam held in the year 2017, objection could be raised to the answer even after declaration of result. The respondent is discriminating the petitioner. The objection is not considered. The valuable right of the petitioner is going to be affected.

2. Mr. Golewar learned counsel for respondent No. 2 submits that the petitioner had right to raise an objection before the declaration of results, when the provisional answer key was published, but he did not raise it.

3. As per the guidelines prescribed for the examination held in January 2018, the candidate has a right to raise objection to the answer key before the result is declared. It is submitted that on 01.03.2018 public notice was issued calling for objections to the answer-key. Seven days time was given for raising objections through on-line and up to 14.03.2018, objections could be raised by a hard copy. The petitioner did not raise an objection and for the first time on 02.06.2018 has raised objection after the result is declared on 24.05.2018. There was no impediment for the petitioner to raise an objection within the time stipulated. The petitioner cannot compare himself with the students who have appeared for the examination in the year 2017. As per the guidelines of 2017, the objection was

permissible, even after declaration of results.

4. It is for the experts to consider the right answer. The Court would not sit over the decision of the experts.

5. The petitioner ought to have raised objection as per the schedule provided. The petitioner raised objection almost after three months. On that count the same is not considered.

6. In the light of the above, the grievance of the petitioner cannot be entertained.

7. Writ petition disposed of. No costs.

( MANGESH S. PATIL, J. )

( S. V. GANGAPURWALA, J. )

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