

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

WRIT PETITION NO. 648/2008

The Secretary, Shri Gajanan Dnyan Prasarak Sanstha Vs. The Government of
Maharashtra & ors.

With

WRIT PETITION NO. 879/2008

Anandswami Shikshan Prasarak Sanstha Vs. The Maharashtra State Board of Secondary
and Higher Secondary Education, Amravati & anr.

With

WRIT PETITION NO. 889/2008

Matoshri Sartabai Chauhan Shikshan Sanstha & anr. Vs. State of Maharashtra & ors.

Office notes Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Writ Petition No. 648/2008

Shri N. R. Saboo, Advocate for petitioner.

Ms. S. Haider, Assistant Government Pleader for respondent Nos. 1, 3 & 4.

Shri A. Parchure, Advocate for respondent No. 2.

Writ Petition No. 879/2008

Shri G. G. Mishra, Advocate for petitioners.

None for respondent No.1.

Ms. S. Haider, Assistant Government Pleader for respondent No. 2.

Writ Petition No. 889/2008

None for petitioners

Ms. S. Haider, Advocate for respondent Nos. 1 to 4.

Shri A. Parchure, Advocate for respondent Nos. 5 to 7.

CORAM : A.S.CHANDURKAR AND VINAY JOSHI, JJ.

DATED : FEBRUARY 24, 2020.

In these writ petitions the petitioners had prayed that the students taking education in their Institutions be permitted to appear for the 12th Standard Higher Secondary Examination by accepting their forms. It appears that the petitioners could not submit the examination forms of the students in view of the fact that they were not issued the index number by the Director, Education. Consequently, the Maharashtra State Secondary and High Secondary Board did not accept the examination forms.

2. On 22.02.2008 after hearing all the sides, this Court has recorded that the Management was not at fault for the delay in submitting the examination forms on account of the pendency of certain proceedings before the Hon'ble Supreme Court. There was a delay in completing the process. Thereafter, by an order dated 25.02.2008, this Court directed the Board to accept the examination forms on payment of Rs. 1000/- from each student towards late fee. Accordingly, by paying the aforesaid amount, the examination forms were accepted. It is now informed that all students have since passed the said examination and have also left the concerned Institutions. We find that with passage of time of more than 10 years, it would not be equitable to direct the petitioners to pay further amount of late fee as stated in the reply filed on behalf of the Board. Hence in the light of the orders dated 22.02.2020 and 25.02.2008, writ petitions are disposed of by confirming the said interim orders.

3. Rule made absolute in aforesaid terms. No costs.

JUDGE

JUDGE