

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

WRIT PETITION NO. 11649 OF 2021

Shivani Ramesh Bhosale

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Vinay B. Anjanwatikar, Advocate for the Petitioner.

Mr. P. K. Lakhotiya, AGP for Respondent No. 1.

Ms. Surekha Mahajan, Advocate for Respondent No. 2.

Mr. S. A. Nandure, Advocate for Respondent No. 3.

**CORAM : S. V. GANGAPURWALA &
 R. N. LADDHA, JJ.**

DATED : 30th November, 2021.

PER COURT:-

. The petitioner had appeared for examination of HSC in February 2019. The petitioner appeared for improvement in February 2020. In the said exam the petitioner secured 76% in aggregate and in PCB group 66%.

2. The learned counsel for the petitioner submits that due to Covid-19 pandemic, the petitioner could not surrender the mark sheet of the February 2019 examination. The petitioner has filed an application with the respondents to issue the mark sheet of the February 2020 examination.

3. The learned counsel for the petitioner on instructions submits that the petitioner has not used the mark sheet of February 2019 examination for any purpose.

4. Ms. Mahajan, learned counsel for the Board submits that the Board had given concession and extended the time limit due to Covid-19 pandemic. The same was extended up to 08.04.2021. The petitioner did not apply within that time also.

5. We have considered the submissions canvassed by the learned counsel for respective parties.

6. The Board on its own extended the time up to 08.04.2021. The petitioner certainly ought to have applied during the said period.

7. The learned counsel submits that, during the said period two uncles of the petitioner died and the family was disturbed. So also threat of Covid-19 was still looming large. The schools were also closed and the physical classes would commence from 06.12.2021.

8. Considering the aforesaid aspects of the matter, we are inclined to exercise our discretion in favour of the petitioner. The petitioner shall surrender the mark sheet of February 2019 HSC examination with the Board within a period of seven (07) days from today. The

petitioner shall also deposit the charges as required by respondent No. 2 and on payment of the charges and surrender of the mark sheet of February 2019 examination, the mark sheet of the February 2020 examination be issued to the petitioner.

9. Writ petition is disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.