

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 9934 OF 2019

Pravin Nagnath Dilpake

... Petitioner

V/s.

The Director
Board of Examinations & Evaluation
University of Mumbai

... Respondent

Mr. Shailesh A. Chavan for the Petitioner

Ms. K.N. Solunke, AGP for the Respondent - State

***CORAM : NITIN JAMDAR &
C.V. BHADANG, JJ.***

DATE : 6 APRIL 2021

P.C. :-

The Petitioner had appeared for the examination in B.E.E. and Engineering Mechanics subject in December 2014 and the result was declared in February 2015 where he was declared as failed. According to the Petitioner, the Petitioner came to know of this fact in May 2019 and sought to correct the mistake in result for Semester-I held in December 2013.

2. By a communication dated 8 February 2019, the University has expressed its inability on the ground that the model answer papers of B.E.E. subject held in year 2013-2014 are not available.

3. It appears that the Petitioner had made an application under the Right to Information Act in the year 2019 and filed the Petition in July 2019. What the Petitioner is essentially seeking by this Writ Petition filed in the year 2019 is the correction of the factual position regarding examination conducted in December 2013. If the University does not have necessary documents to process this request because of the delay, the University alone cannot be faulted with. Nowhere in the Petition we find only reason for delay of almost six years, except stating that only in May 2019 the Petitioner became aware.

4. In these circumstances, the relief as sought for cannot be granted. The Writ Petition is rejected.

C.V. BHADANG, J.

NITIN JAMDAR, J.