

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10636 OF 2022
(Bhumija Nemichand Rathod Vs. Ministry of Education, and others)

Mr.C.V.Dharurkar, Advocate for the petitioner.
Mr.A.T.Jadhavar, Advocate for respondent Nos. 1 to 3.

(CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.)

DATE : OCTOBER 20, 2022

PER COURT :

1. Akin to the earlier matters in Writ Petition Nos.10048/2022 and 9724/2022, this is yet another case of 2 different mark sheets/results appearing on the website of respondent No.3.

2. We have ourselves verified the original answer sheet as well as the carbon copy/office copy (OMR). The learned Advocate for the petitioner has also verified the same and the petitioner, who is present in the Court, has also gone through the said sheets. There is no disagreement that the sheets are authentic and identical. If the marks memo / result sheet appearing on the official website of respondent No.3 with the proper QR Code are verified, the result appearing on the official website and the answers offered on the OMR sheets, tally.

3. In view of the above and considering our order dated 12.10.2022, passed in identical matters of Ms.Sanika Shinde and Ashwani Achari in WP No.10048/2022 and WP No.9724/2022, this petition is also disposed off with the same liberty that the petitioner may file a complaint with respondent No.3 and the said respondent would refer the case to the Cyber Crime Cell for investigation.

4. Before parting, the learned Advocate for the petitioner has put forth a suggestion, which we find to be acceptable. He submits that in this short period of 2 weeks, there have been 3 petitions before this Court. All over India, there could be hundreds' of petitions. Same petitions have been filed in the Delhi High Court and some have been filed before the Hon'ble Supreme Court. He, therefore, suggests that respondent No.3, in view of these peculiar circumstances pertaining to the NEET-UG and NEET-PG Exam.2022, should publish an advertisement in the newspapers, or publish a notice on their website indicating that all those students, who have faced a similar situation of there being 2 different result sheets, appearing on a fictitious website of respondent No.3 and on the authentic website of respondent No.3, should make online complaints to respondent No.3 so that these complaints can be forwarded to the Cyber Crime Cell for investigation.

5. We find the suggestion to be worthy of consideration since this would not only resolve the problems of such students, it would also enable respondent No.3 to seek an investigation about the presence of vexatious websites posing as the official website of respondent No.3. Such vexatious websites could be brought to book, in as much as, the authenticity of respondent No.3 website would be enhanced.

6. We are, therefore, directing respondent No.3 to adopt this course and put up a notice on it's website seeking online complaints from such students, within 3 weeks from today. The deadline for the students to file such complaints can be 15.12.2022 and thereafter all such complaints received would be forwarded by respondent No.3 to the Cyber Crime Cell for further action.

7. Since this matter has been entrusted to Adv.Dharurkar through the High Court Legal Aid Services Authority, Sub Committee, Aurangabad, we quantify his fees at Rs.15,000/- to be paid to the learned Advocate for the petitioner.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)