

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 WRIT PETITION NO.501 OF 2023

ABDUL SUBOOR ABDUL SHAKOOR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...
Advocate for Petitioners : Mr. A.D. Patil
AGP for Respondent No.1: Mr. S.K. Tambe
Advocate for Respondent Nos.2 to 4 : Smt. R.R. Mane
Advocate for Respondent No.5 : Mr. Amardeep Naiknaware
...

AND
913 WRIT PETITION NO.503 OF 2023

CHISTIYA ARTS COMMERCE AND SCIENCE COLLEGE
THROUGH ITS PRINCIPAL
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

...
Advocate for Petitioners : Mr. S.R. Barlinge
AGP for Respondent No.1: Mr. S.K. Tambe
Advocate for Respondent Nos.2 and 3 : Smt. R.R. Mane
.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 13th JANUARY, 2023.**

PER COURT :-

1. The writ petition No. 501 of 2023 is filed by the students and the writ petition No. 503 of 2023 is filed by the college of Arts, Commerce and Science, situated at Khultabad, District Aurangabad. A common grievance put forth by the petitioners is that the examination Centre for M.A. Marathi and M.A. Urdu has been allotted at Sultanpur, which is 13 kilometers away from Khultabad, where the

petitioner college is situated. According to the petitioners, it is an internal road having no mode of transportation available. Several students are girls and ladies, who are pursuing distant education with the Yashwantrao Chavan Maharashtra Open University, Nashik. It is for the first time that the examination center at Sultanpur has been allotted to the students.

2. The learned advocate representing the University and Regional Director, submits that various courses have been allotted to the Sultanpur Study Centre and Examination Centre. The University has recognized the study Centre at Sultanpur. It is, therefore, connected with the University in so far as imparting distant education to the students.

3. The learned A.G.P. has placed on record a communication received by him from the Tahsildar, Khultabad, dated 11.01.2023, stating therein that Sultanpur is a village in between Phulambri and Khultabad Talukas and is on the main road. However, the mode of transport is minimal and public transport is practically nonexistent. It, therefore, reflects that Sultanpur is situated at such a location where there is hardly any transportation available.

4. We are informed that the examination commences from 15.01.2023, scheduled on 15th, 17th, 19th and 21st January, 2023. Some students appearing for the third semester, have been granted

different dates for appearing for such examination. The learned advocate representing the respondent University and its Regional Director, submits on instructions that as tomorrow is a holiday and the petitioners before the Court would be appearing for the examination on 15.01.2023, it would be most difficult and cumbersome for the University authorities at Nashik to select an examination Centre, issue instructions accordingly and it would be equally cumbersome for the examination Centre to make arrangement and gear up for conducting the examination. She further submits that the examination at Sultanpur study Centre, insofar as the other courses are concerned, has already been commenced from 11.01.2023. She further submits, on instructions, that the University and the authorities would henceforth ensure that any examination Centre, which would be selected and allotted, would be a better place and it would ensure that there is sufficient public transportation available for the students to reach such examination centres. Henceforth, the grievance of the petitioners and all other students would be considered to ensure the convenience of the students to reach the centre.

5. Considering the peculiar facts situation and there being hardly any time for the University at Nashik to issue directions to make arrangement for selecting the examination centre, that we are not causing any indulgence in this matter. We would expect the University to ensure that examination centres that would be selected

in future for all types of examinations, would be such that it would not be cumbersome for the students to reach the centres for taking their examination.

6. Both these petitions are disposed off.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

rlj/