

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

WRIT PETITION NO.1169 OF 2022

PAVAN DILIP PATWARI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Biradar R.D.
AGP for Respondent No.1 : Mr. S.R. Yadav-Lonikar
Advocate for Respondent No.2 : Mr. Nikam Anup R.

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**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 24 AUGUST 2023

PER COURT :

. Heard the learned Advocate for the petitioner, learned AGP and the learned Advocate who appears for the respondent no.2.

2. The petitioner who had appeared for D.Ed. through the respondent no.4/College is seeking correction of the marks recorded against him in the internal assessment (formative evaluation for subject S9 - Pedagogy of Art Education) wherein according to score-sheet, he could score 18 marks out of 50 when the minimum marks for passing was prescribed as 25.

3. It transpires that admittedly the petitioner had appeared at the examination, result of which was declared in the month of June-2019. Since thereafter at no point of time, any grievance was raised either by

the respondent no.4 or the petitioner himself. Abruptly in the year 2021, after more than two years, the respondent no.4 was bold enough to inform the respondent no.2 to rectify the error in mentioning the marks by informing that he had scored 48 but erroneously it was intimated as 18 marks.

4. The respondent no.2 in the affidavit-in-reply has expressly mentioned about the brochure in the form of instructions to the Principal conducting the examination that no request for correction in the marks for the internal assessment would be considered if the original score results in the candidate failing at the examination. Even there is a specific reference to the resolution bearing no.441 dated 20.02.2018 wherein it has been resolved that no correction in the internal assessment would be made after the marks are given to the candidates. These facts have not been controverted by the petitioner by filing any re-joinder.

5. In the light of above, when the petitioner has been aware throughout regarding the marks recorded against his name in respect of subject S9 since June 2019 and is making a request for its correction after two years in its self sufficient to dismiss the petition. The petition is dismissed.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]