



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CIVIL APPLICATION (CAW) NO. 362 OF 2025

IN

WRIT PETITION NO.1476 OF 2021

AND

CIVIL APPLICATION (CAW) NO. 363 OF 2025

IN

WRIT PETITION NO. 5477 OF 2021

DR. KESHAV BALIRAM HEDGEWAR PARYAYI SHIKSHA MANDAL

Vrs.

STATE OF MAHARASHTRA AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Shri Amit Choube, Advocate for applicant/petitioner.
Ms. K. P. Marpakwar, AGP for respondent-State.
Shri T.S. Kene, Advocate for respondent No.2.
Shri Madhur Deo, Advocate for respondent
no.3/Intervenor.

CORAM : AVINASH G. GHAROTE AND ABHAY J. MANTRI, JJ.

DATE : 11/03/2025.

CIVIL APPLICATION (CAW) NO. 362 OF 2025 AND

CIVIL APPLICATION (CAW) NO. 363 OF 2025

1. By these applications, the applicant seeks permission to withdraw the affidavit filed by it on 15/01/2025 and 20/01/2025 (in Writ Petition No.5477/2021) and 15.01.2025 (in Writ Petition No.1476/2021), on the ground that due to inadvertent mistake and misunderstanding on the part of the petitioner, some incorrect statements have been made by the petitioner on affidavit. Therefore, he has moved these applications, for which learned counsel for the respondents have not objected.

In view of the same, we deem it appropriate to pass the following order :-

ORDER

i] Respective applications are allowed, subject to payment of costs of Rs.15,000/- in Writ Petition No.1476/2021 and Rs.15,000/- in Writ Petition No.5477/2021 to be paid to Raman Science Centre, Nagpur, within a period of one week from today. The applicant is permitted to pay the cost to the said Association by NEFT/RTGS or any other online mode of payment, permissible in law. The Bank details of the said Raman Science Centre, Nagpur are as under :-

Name : Raman Science Centre and Planetarium, Nagpur.
Account No. : 0306101022235.
Name of Bank: CANARA BANK.
Branch Name & Address : Sitabuldi Branch, Nagpur.
IFSC Code : CNRB0000306.
MICR Code : 440015002”.

ii] If the applicant fails to deposit the said amount, the order shall stand vacated without further reference to the Court.

iii] Applications are disposed of.

CIVIL APPLICATION (CAW) NO. 3576 OF 2023 IN
WRIT PETITION NO.1476/2021 AND
CIVIL APPLICATION (CAW) NO. 3575 OF 2023 IN
WRIT PETITION NO.5477/2021

1. Heard.

2. By these applications, the applicant/petitioner seeks directions against respondent No.2 – Board to declare the result and issue the mark sheets to the students for the examinations as mentioned in **Annexures-C to G** with the application (in Writ Petition No. 1476/2021) and **Annexures-C and D** with the application (in Writ Petition No. 5477/2021).

3. It is contended that by various orders dated 03/03/2023, 28/06/2023, 03/08/2023, 16/10/2023, and 06/11/2023 (in Writ Petition No.1476/2021) and 28/06/2023 and 06/11/2023 (in Writ Petition No.5477/2021) permitted the students to appear in the examinations conducted by respondent No.2 from time to time. However, the results of those examinations were not declared by respondent No.2- Board, and therefore, they are seeking directions against the respondent No.2- Board to declare the results of those examinations.

4. Shri Kene, learned counsel for respondent No.2, has resisted the applications on the ground that, by virtue of interim orders of this Court, the petitioner is trying to create a right in its favour without going into a final hearing of the matter. Therefore, he has prayed for the rejection of the applications.

5. It is brought to our notice that by virtue of orders of this Court, the students were permitted to appear for the examinations, and therefore, in our view, it would be proper to declare the results of those students who appeared for examinations and with the caveat that no special equities will be created in favour of the students on account of declaration of the result. If the results of the students for examinations have been declared, it would not cause prejudice to the respondents, but if

there is non-declaration of the said results, there would be a waste of the time of the students. Therefore, we are directing the respondent No.2 to declare the results of those students on or before 17/03/2025. Same would be subject to the final outcome of these petitions. In such an eventuality, it cannot be said that their rights would be affected by directing them to declare the results.

6. Having considered the above facts, we deem it appropriate to pass the following order :-

ORDER

i] Applications are allowed in terms of the Prayer Clause (a), subject to the outcome of the final decision of Writ Petition Nos.1476/2021 and 5477/2021.

ii] The declaration of the results will not create rights in favour of the students.

iii] Applications are disposed of.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)