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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6 OF 2026

Krushni va Gramin Vikas Pratishthan's
Raje Shahaji Kashinath Mahavidyalaya,
At Ambelohol, Tq. Gangapur,
Dist. Ch. Sambhajanagar,
Through the Principal,
Changdev Narayan Pawar,
Age : 42 years, Occu.: Service,
R/o. Talwada, Sub. Vaijapur,
Dist.Ch. Sambhajanagar.

... Petitioner

Versus

1. The State of Maharashtra,
Through the Secretary,
School, Education and Sport
Department, Mantralaya,
Mumbai.
2. Maharashtra State Secondary and
Higher Secondary Education Board,
Through its Secretary,
S.R. No.831-A, Final Plot No.178, 179,
Near Balchitrawani, Behind Agarkar
Research Institute, Bhamburda,
Shivajinagar, Pune – 411004.
3. Maharashtra State Secondary and
Higher Secondary Education Board,
Chhatrapati Sambhajanagar Division,
Through its Divisional Secretary,
Railway Station Road,
Ch. Sambhajanagar

... Respondents

WITH

WRIT PETITION NO. 33 OF 2026

1. Onkar Kalyan Rajdev
Age 19 years, Occu. Education,
R/o. Shambhari Vasti, Godegaon,
Tq. Gangapur, Dist. Chh. Sambhajanagar.

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2. Sanket Jagannath Rajdev,
Age 17 years, Occu. Education,
U/g. Jagannath Raosaheb Rajdev
Age: 54 years, Occu.: Agri.,
R/o. Godegaon, Tq. Gangapur,
Dist. Chh. Sambhajinagar.
3. Rutuja Yogesh Sadhye,
Age 16 years, Occu. Education,
U/g. Yogesh Sheshrao Sadhye,
Age: 38 Yrs., Occu.: Agri.,
R/o. Dighi, Tq. Gangapur,
Dist. Chh. Sambhajinagar.
4. Sakshi Harishchandra Suse,
Age 17 years, Occu. Education,
U/g. Harishchandra Bhanudas Suse,
Age: 47 Yrs., Occu.: Agri.,
R/o. Yesgaon, Tq. Gangapur,
Dist. Chh. Sambhajinagar.
5. Janhvi Jagdish Jaiswal,
Age 17 years, Occu. Education,
U/g. Jagdish Suklal Jaiswal,
Age: 42 Yrs., Occu.: Agri.
R/o. Jikthan, Tq. Gangapur,
Dist. Chh. Sambhajinagar.
6. Aditya Ram Pawar,
Age 17 years, Occu. Education,
U/g. Ram Daulat Pawar,
Age: 45 Yrs. Occu.: Agri.
R/o. Kankori, Tq. Gangapur,
Dist. Chh. Sambhajinagar.
7. Gitanjali Sakhahari Wagh,
Age 17 years, Occu. Education,
U/g. Alka Sakhahari Wagh,
Age: 36 Yrs. Occu.: Household,
R/o. Sillegaon, Tq. Gangapur,
Dist. Chh. Sambhajinagar.
8. Anjali Udhav Mhaske,
Age 17 years, Occu. Education,
U/g. Udhav Waman Mhaske

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Age: 46 Yrs. Occu.: Agri.
 R/o. Shendurwadha, Murshidabad,
 Tq. Gangapur, Dist. Chh. Sambhajinagar.

9. Sagar Ganesh Mhaske,
 Age 16 years, Occu. Education,
 U/g. Ganesh Babasaheb Mhaske,
 Age: 44 Yrs. Occu.: Agri.
 R/o. Tandulwadi, Tq. Gangapur,
 Dist. Chh. Sambhajinagar.

10. Ganesh Sanjay Rodge,
 Age 16 years, Occu. Education,
 U/g. Tarabai Sanjay Rodge
 Age: 44 Yrs. Occu.: Agri.
 R/o. Zanzardi, Tq. Gangapur,
 Dist. Chh. Sambhajinagar.

... Petitioners

Versus

1. The State of Maharashtra,
 Through the Secretary,
 School, Education and Sport
 Department, Mantralaya,
 Mumbai.
2. Maharashtra State Secondary and
 Higher Secondary Education Board,
 Through its Secretary,
 S.R. No.831-A, Final Plot No.178, 179,
 Near Balchitrawani, Behind Agarkar
 Research Institute, Bhamburda,
 Shivajinagar, Pune – 411004.
3. Maharashtra State Secondary and
 Higher Secondary Education Board,
 Chhatrapati Sambhajinagar Division,
 Through its Divisional Secretary,
 Railway Station Road,
 Ch. Sambhajinagar.
4. Krushi va Gramin Vikas Pratishthan's
 Raje Shahaji Kashinath Mahavidyalaya,
 At Ambelohol, Tq. Gangapur,
 Dist. Ch. Sambhajinagar,
 Through the Principal

... Respondents

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WRIT PETITION NO. 48 OF 2026

1. Rashtramata Uccha Madhaymik
Vidyalaya, Vajegaon, Tq. & Dist. Nanded,
Through its Head Master,
Tukaram Baliram Gadekar,
Age:50 Years, Occu. Lservice,
Having Office at
Rashtramata Uccha Madhaymik
Vidyalaya, Vajegaon, Tq. & Dist. Nanded.
2. Swami Vivekanand Gramin Shikshan
Prasarak Mandal, Betsangavi,
Tq. Loha, Dist. Nanded
Through its Secretary
Avadhutrao Abarao Kshirsagar,
Age: 55 years, Occu. Service
R/o. Sambhajanagar, Taroda Br.
Tq. & Dist. Nanded

... Petitioners

Versus

1. The State of Maharashtra,
Through the Secretary,
School, Education and Sport
Department, Mantralaya,
Mumbai.
2. The Deputy Director of Education,
Latur Division Latur,
Taluka & Dist. Latur.
3. Maharashtra State Secondary and
Higher Secondary Education,
Latur Divisional Board,
Having office at Sut Mill area,
Kanheri Road,
Behind Rajasthan School,
Gajanan Nagar, Tq. & Dist. Latur.

... Respondents

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WRIT PETITION NO. 77 OF 2026

1. Shivniketan Madhamik & Uccha Madhayamik
Vidyalaya, Sawargaon (N), Tq. & Dist. Nanded,
Through its Head Master,
Gajanan Chandrakant Joshi,
Age:50 Years, Occu. Lservice,
Shivniketan Madhamik & Uccha Madhayamik
Vidyalaya, Sawargaon (N), Tq. & Dist. Nanded.
2. Rani Lakshmibai Shikshan Sanstha,
Yashwantnagar, Nanded Tq. & Dist. Nanded
Through its Secretary
Sindhutai Shankarao Tale,
Age: 75 years, Occu. Service
R/o. Yashwantnagar,
Tq. & Dist. Nanded

... Petitioners

Versus

1. The State of Maharashtra,
Through the Secretary,
School, Education and Sport
Department, Mantralaya,
Mumbai.
2. The Deputy Director of Education,
Latur Division Latur,
Taluka & Dist. Latur.
3. Maharashtra State Secondary and
Higher Secondary Education,
Latur Divisional Board,
Having office at Sut Mill area,
Kanheri Road,
Behind Rajasthan School,
Gajanan Nagar, Tq. & Dist. Latur.

... Respondents

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WRIT PETITION NO. 236 OF 2026

Pratibha Niketan Secondary and Higher
Secondary Ashram School, Manohar Tanda,
Tq. Ausa, District Latur
Through its Headmaster,

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Narsing Gangaram Gaikwad,
Age: 57 Years, Occu.: Service,
Manohar Tanda, Tq. Ausa,
Dist. Latur.

... Petitioner

Versus

1. The State of Maharashtra,
Through the Secretary,
School, Education and Sport
Department, Mantralaya,
Mumbai.
2. Maharashtra State Secondary and
Higher Secondary Education,
Divisional Board, Latur
Through its Divisional Secretary.

... Respondents

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WRIT PETITION NO. 241 OF 2026

1. Eklavya Magas Sewa Samiti,
Mankhed, Tq. Ahmedpur,
District Latur
Through its President,
Dr. Shashikiran Uttamrao Bhikane,
Age: 42 years, Occu.: Service,
R/o. Mankhed, Tq. Ahmedpur,
District Latur.
2. Post Basic Ashram Junior College,
Dhalegaon, Tq. Ahmedpur,
District Latur
Through its Principal

... Petitioners

Versus

1. The State of Maharashtra,
Through the Secretary,
School, Education and Sport
Department, Mantralaya,
Mumbai.
2. Maharashtra State Secondary and
Higher Secondary Education,
Divisional Board, Latur
Through its Divisional Secretary.

... Respondents

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WRIT PETITION NO. 429 OF 2026

Arts and Science Junior College,
Run by Jaibhavani Shikshan Prasarak
Mandal, Through its Principal
Prof. Sadashiv Haribhau Sarkate,
Age: 54 Years, Occu.: Principal
Having office at Patoda, Tq. Patoda
Dist. Beed.

... Petitioner

Versus

Maharashtra State Secondary and
Higher Secondary Education Board,
Divisional Board at Chh. Sambhajinagar
Through its Divisional Secretary.
Railway Station Road, Chh. Sambhaninagar
Dist. Chh. Sambhajinagar

... Respondents

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WRIT PETITION NO. 466 OF 2026

1. Shramjivi Samaj Kalyan Mandal, Hadolti,
Tq. Ahmedpur, Dist. Dharashiv,
Through its Secretary
Krishna Shivajirao Dalnar,
Age: 31, Occu.: Business,
R/o. At Post – Shivaji Dalnar,
Ranisawargaon, Dist. Parbhani.
2. Punyashlok Ahilyadevi Holkar Junior
College, Ranisawargaon, Tq. Gangakhed,
Dist. Parbhani, Through its Principal
Bonnar Renukadas Yashwantrao,
Age: 50 Occu.: Service,
R/o. Bonnar Yashwantrao, Bothi,
Dist. Parbhani.

... Petitioners

Versus

1. The State of Maharashtra,
Through its Secretary
The School, Education Department,
Mantralaya, Mumbai – 4000032.

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2. The Director of Education (Secondary),
State of Maharashtra, Pune – 411 001.
3. The Deputy Director of Education
(Secondary),
Chh. Sambhajinagar Division,
Chh. Sambhajinagar.
4. The Education Officer (Secondary),
Zilla Parishad, Parbhani,
Tq. & Dist. Parbhani.
5. The Secretary,
Maharashtra State Board of
Secondary & Higher Secondary Education,
Divisional Board in Pune.
6. The Chairman,
Chh.Sambhajinagar Divisional Board/Circle,
Chh. Sambhajinagar,
Tq. & Dist.Chh. Sambhajinagar.
7. The Divisional Secretary,
Chh. Sambhajinagar Divisional Board/Circle,
Chh. Sambhajinagar,
Tq. & Dist.Chh. Sambhajinagar.
8. The Assistant Secretary,
Chh. Sambhajinagar Divisional Board/Circle,
Chh. Sambhajinagar,
Tq. & Dist.Chh. Sambhajinagar.

... Respondents

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WRIT PETITION NO. 469 OF 2026

Sant Pachlegaonkar Maharaj Junior College,
Kothala, Tq. Sonpeth, District : Parbhani,
Through its Principal namely;
Atmaling Baburao Tupkare,
Age: 39 Years, Occu.: Service,
R/o. Kothala, Tq. Sonpeth,
District : Parbhani.

... Petitioner

Versus

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1. The State of Maharashtra,
Through its Secretary,
School, Education and Sport
Department, Mantralaya,
Mumbai -32.
 2. The Education Officer (Secondary)
Zilla Parishad, Parbhani.
 3. Maharashtra State Secondary and
Higher Secondary Education,
Chh. Sambhajinagar (Aurangabad)
Chh. Sambhajinagar (Aurangabad) Division,
Railway Station Road, Chh. Sambhaninagar
(Aurangabad)
Through its Divisional Secretary
- ... Respondents

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WRIT PETITION NO. 470 OF 2026

Late Rupchand Pawar Junior College,
Sakhara, Tq. Sengaon, District: Hingoli,
Through its Principal namely;
Raus Sahebrao Pawar,
Age: 35 Years, Occu.: Service,
R/o.Sakhara, Tq. Sengaon,
District : Hingoli.

... Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
School, Education and Sport
Department, Mantralaya,
Mumbai -32.
 2. The Education Officer (Secondary)
Zilla Parishad, Parbhani.
 3. Maharashtra State Secondary and
Higher Secondary Education,
Chh. Sambhajinagar (Aurangabad)
Chh. Sambhajinagar (Aurangabad) Division,
Railway Station Road, Chh. Sambhaninagar
(Aurangabad)
Through its Divisional Secretary
- ... Respondents

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WRIT PETITION NO. 537 OF 2026

Kai. Rekhaji Naik Higher Secondary
 Ashram School, (Junior College) Malewadi,
 Tq. Gangakhed, District Parbhani
 Through Headmaster,
 Ramchandra Baburao Pawar,
 Age: 38 Years, Occu.: Service,
 R/o. Malewadi, Tq. Gangakhed,
 District : Parbhani.

... Petitioner

Versus

1. The State of Maharashtra,
 Through its Secretary,
 School, Education and Sport
 Department, Mantralaya,
 Mumbai.
2. Maharashtra State Secondary and
 Higher Secondary Education,
 Divisional Board, Chh. Sambhajinagar,
 Through its Divisional Secretary

... Respondents

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WRIT PETITION NO. 556 OF 2026

Jaybhavani Secondary and Higher Secondary
 Ashram School, (Junior College) Mojmabad,
 Tq. Palam, District Parbhani
 Through Headmaster,
 Balasaheb Thavru Rathod
 Age: 50 Years, Occu.: Service,
 R/o. Mojmabad, Tq. Palam,
 District : Parbhani.

... Petitioner

Versus

1. The State of Maharashtra,
 Through its Secretary,
 School, Education and Sport
 Department, Mantralaya,
 Mumbai.

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2. Maharashtra State Secondary and
Higher Secondary Education,
Divisional Board, Chh. Sambhajinagar,
Through its Divisional Secretary

... Respondents

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WRIT PETITION NO. 582 OF 2026

Jijau Higher Secondary School,
Shelgaon, Tq. Badnapur, Dist. Jalna,
Through its Principal
Kavita W/o. Gajanan Walke,
Age: 43 Years, Occu.: Service as Principal,
R/o.109, New Mondha Road, Shrikrushna
Rukhmininagar, Jalna.

... Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
School, Education and Sport
Department, Mantralaya,
Mumbai.
2. The Maharashtra State Board of
Secondary and Higher Secondary
Education, Chh. Sambhajinagar,
Through its Secretary
3. The Education Officer (Secondary),
Zillha Parishad, Jalna

... Respondents

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WRIT PETITION NO.601 OF 2026

Narsamata Secondary and Higher
Secondary Ashram School, Navandi,
Tq. Udgir, District Latur
Through its Headmaster,
Sanjiv Vithal Pulle,
Age: 57 Years, Occu.: Service
R/o.Navandi, Tq. Udgir, District Latur

... Petitioner

Versus

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1. The State of Maharashtra,
Through its Secretary,
School, Education and Sport
Department, Mantralaya,
Mumbai.
2. Maharashtra State Board of
Secondary and Higher Secondary
Education, Divisional Board, Latur,
Through its Divisional Secretary ... Respondents

.....

WRIT PETITION NO. 603 OF 2026

Narsamata Secondary and Higher
Secondary Ashram School, Navandi,
Tq. Udgir, District Latur
Through its Headmaster,
Sanjiv Vithal Pulle,
Age: 57 Years, Occu.: Service
R/o. Navandi, Tq. Udgir, District Latur ... Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
School, Education and Sport
Department, Mantralaya,
Mumbai.
2. Maharashtra State Board of
Secondary and Higher Secondary
Education, Divisional Board, Latur,
Through its Divisional Secretary ... Respondents

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Mr. P.R. Katneshwarkar, Senior Advocate i/b Mr. Ashutosh S. Kulkarni,
Advocate for Petitioner in WP/6/2026

Mr. Mukul Kulkarni, Advocate h/f Mr. Narendra D. Sonavane, Advocate
for Petitioners in WP/33/2026

Mr. V.D. Sapkal Senior Advocate i/b Mr. R.N. Patil and Mr. S.R. Sapkal,
Advocates for Petitioners in WP/466/2026

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Mr. Vinayak P. Narwade, Advocate for Petitioners in WP/48/2026 & WP/77/2026

Mr. Shri. Vinod B. Jadhav, Advocate for Petitioners in WP/236/2026, WP/241/2026, WP/237/2026 & WP/556/2026

Mr. Shanmbhuraje V. Deshmukh, Advocate for Petitioner in WP/429/2026

Mr. V.S.Panpatte and Mr. A.N.Nagargoje, Advocates for Petitioners in WP/469/2026 & WP/470/2026

Mr. Dnyaneshwar B.Pokale, Advocate for Petitioner in WP/582/2026

Mr. Ajinkya Reddy, Advocate for Petitioner WP/601/2026 & WP/603/2026

Ms. Surekha Mahajan, Advocate for Maharashtra State Board of Secondary and Higher Secondary Education Chh.Sambhajinagar in respective matters

Ms. Asha S. Rasal, Advocate for Maharashtra State Board of Secondary and Higher Secondary Education Divisional Board, Latur in WP/48/2026 & WP/77/2026

Mr. Umesh S. Mote, Advocate for Maharashtra State Board of Secondary and Higher Secondary Education Divisional Board, Latur in WP/236/2026, WP/241/2026 & WP/603/2026

Mr. A.B. Girase, Government Pleader, Mr. S.B. Narwade, Mr. R.S. Wani, Mr. Abhijit M. Phule, Mr. V.M. Kagne, Ms. Neha B. Kamble, AGPs in respective matters

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**CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

RESERVED ON : 16 JANUARY, 2026

PRONOUNCED ON : 19 JANUARY, 2026

JUDGMENT [Per Hiten S. Venegavkar, J.] :-

1. Rule. Rule is made returnable forthwith. With the consent of the learned counsel appearing for the parties, the petitions are taken up for final disposal at the stage of admission.

2. These petitions are filed under Article 226 of the Constitution of India. They challenge orders, including the order dated 18.12.2025

passed by respondent No.3, the Maharashtra State Board of Secondary and Higher Secondary Education, Chhatrapati Sambhaji Nagar Divisional Board, whereby the examination centres of the petitioner institutions were cancelled for the purpose of conducting Higher Secondary Certificate (HSC) examinations. The petitioners also seek consequential reliefs directing respondent Nos.2 and 3 to continue the examination centres already allotted to their respective junior colleges.

3. The petitions are a bunch of matters instituted by different colleges against similar action taken by respondent Nos.2 and 3. One writ petition i.e. WP/33/2026 has been filed by students. As they involve a common issue and arise from a substantially similar factual backdrop, we heard all petitions together. On behalf of the petitioners, learned Senior Counsel Mr. Katneshwarkar and learned Senior Counsel Mr. Sapkal argued at length. Learned advocates appearing in other petitions adopted the arguments advanced by the said learned Senior Counsel. Hence, all petitions are being decided by a common judgment and order. The factual matrix across petitions is materially the same, save and except certain dates and individualized events which do not materially affect adjudication of the core issue. We, therefore, record the facts of the lead matter being Writ Petition No.6 of 2026, which would govern the decision in the connected matters.

4. The petitioners are educational institutions running junior colleges, duly permitted and recognized to impart education for standards XI and XII in Arts, Commerce and Science streams, and possessing requisite permissions and grants from competent departments. For several years, the petitioners have held recognition for conducting Class XII Board examinations at their own premises. It is pleaded that the petitioner institutions possess adequate infrastructure, duly equipped classrooms, and approvals/sanctions from local bodies, and that they regularly conduct their internal examinations and have, for years, conducted Board examinations without any complaint of malpractice or any punitive action.

5. It is the petitioners' case that during the February–March 2025 Board examination season, an unfortunate incident occurred at the petitioner's examination centre: during the English paper on 11.02.2025, one student was found indulging in copying/cheating. The petitioners assert that this was a solitary, stray incident by one candidate; that the rest of the examinations were conducted smoothly; and that there was no allegation of institutional involvement, connivance, mass copying, or a systemic breakdown.

6. In July 2025, the petitioners received a show cause notice from Respondent No.3 calling upon them to explain why the recognition of

their college as an HSC examination centre should not be cancelled. The petitioners submitted a reply explaining that out of hundreds of candidates and multiple examination days, there was only one incident attributable to one student; that the institution did not indulge in or facilitate malpractice; and that no drastic action of cancelling the centre was warranted. Thereafter, the petitioners were called to appear before the authority and were asked to submit an undertaking that such incident would not occur in future. According to the petitioners, despite the reply and despite absence of any inquiry report concluding against the institution, the impugned order dated 18.12.2025 came to be issued cancelling the centre.

7. The petitioners contend that the divisional board initiated action purportedly relying upon a circular dated 29.01.2025 issued by respondent No.2, which contemplates action such as closure/cancellation of centres in cases involving “various instances” of cheating/copying or “mass copying”. The petitioners argue that the said circular is inapplicable to a case of one isolated instance and that the reliance placed upon it is misconceived and disproportionate. The petitioners further place reliance upon a communication/circular dated 05.12.2025 issued by respondent No.2 advising divisional boards to consider student welfare before taking drastic steps of closing centres.

According to the petitioners, Respondent No.3 failed to consider these directions, and acted arbitrarily.

8. The petitioners also contend that of a total of 42 centres where some incidence of copying/cheating was noted, no action was taken against 15 centres, thereby suggesting discriminatory treatment and non-uniform application of standards. It is further asserted that the impugned action was taken in undue haste and without disclosure of material relied upon; that the petitioners sought documents by written applications and under the Right to Information Act; and that such requests remain unanswered, thereby vitiating fairness and transparency.

9. The petitioners plead that upon cancellation, candidates were shifted to an alternative centre at village Ranjangaon Shera (as stated by the petitioners), said to be around 14 kilometres from the petitioner's college. The petitioners stress that many of their students already travel long distances, and shifting the centre further would cause substantial hardship, especially in the examination period where time, safety, and certainty are crucial. They contend that the respondents failed to consider student interest and welfare, and that the impugned decision stigmatizes the institution, harming its reputation built over years.

10. Learned Senior Counsel Mr. Katneshwarkar submitted that the impugned action is contrary to and in violation of the procedure laid down in the “SSC and HSC Examination Centre, Amended Standards” framed by the executive/standing committee on 04.07.2019. He referred to Clause 2 relating to closure of examination centres, and in particular sub-clause (3) thereof, which, as argued, contemplates inclusion of centres in a closure list where there is “nuisance” during examinations for a continuous period of three years or more, with an annual report and maintenance of such list. It was urged that the petitioners’ centre was never included in any such list, nor were there continuous incidents spanning three years, and hence the basic jurisdictional prerequisites for closure were absent.

11. Learned Senior Counsel further referred to the procedure in the standards/regulations for closure, namely: issuance of a clear show cause notice in June–July identifying deficiencies; grant of 15 days for reply; consideration and hearing by the competent committee; and communication of the decision in writing within a stipulated time, including adherence to timelines such as communication by 15 October. It was urged that though the show cause notice was issued on 09.07.2025 and the reply was submitted in August 2025, the final order is dated 18.12.2025, i.e., after about five months, thereby violating prescribed timelines and creating uncertainty at the threshold of the

next examination season. It was submitted that the hearing was not meaningful nor before the competent committee, and that the impugned order is cryptic, bereft of reasons, and therefore arbitrary.

12. Learned Senior Counsel also placed reliance upon the minutes of a meeting dated 10.11.2025 of an ad-hoc (“*tadarth*”) committee, particularly a tabulation that recorded “office opinion” and “final decision”. It was argued that the office opinion stated the centre could not be closed, whereas the final decision reflected only re-allotment/alignment of the centre to another institution/zone without recording reasons that could justify permanent cancellation. It was submitted that the decision-making reflected inconsistency and non-application of mind.

13. Learned Senior Counsel Mr. Sapkal, adopting the above submissions, added that during Board examinations the supervisory and invigilation staff is deputed by the Collector/competent authorities and not appointed by the institution; the institution’s role is largely to provide premises and infrastructure; and the institution does not control the conduct of the examination once the board/administration deploys staff. It was submitted that if malpractice occurred despite deployment of external staff, then responsibility should be fixed after inquiry on the concerned staff, and it is arbitrary to impose the gravest institutional

consequence upon the college without identifying culpability or connivance.

14. Per contra, learned counsel Ms. Surekha Mahajan for the contesting respondents raised a preliminary objection as to maintainability and locus standi. It was submitted that a college has no enforceable right to demand an examination centre; allotment and continuation of centres is within the discretion of Respondent Nos.2 and 3; and the petition is therefore not maintainable. On merits, it was submitted that the State constituted standing committees and divisional committees empowered under the governing Act and Regulations; that these committees act on behalf of the State Board; and that decisions taken are within jurisdiction.

15. Learned counsel further submitted that the impugned action was taken pursuant to the “100-day programme” and campaign to eradicate copying (“copy-mukt abhiyan”) aimed at ensuring free and fair examinations, in light of reported rampant malpractices. It was argued that to enforce strictness, the administration decided that where malpractice is recorded, action would be initiated against the centre. It was submitted that the Collector, as chairman of a monitoring/dakshata committee, had powers to schedule examinations and deploy staff for implementing the programme.

16. It was also urged that many students choose distant centres with an oblique motive to obtain favourable results, and that staff from other colleges is often deputed based on intelligence inputs of malpractice risk. It was submitted that due process was followed: show cause notice was issued, reply considered, hearing provided, and thereafter a decision was taken. It was argued that there is no prejudice because the new centre is within the zone and at a short distance (respondents contended it is about 9 kilometres), and that hall tickets for the February/March 2026 examination were already prepared for online dispatch with QR codes linked to the allotted centres; interference at a late stage would disrupt the examination programme. On these grounds, dismissal was sought on maintainability and merits.

17. We have considered the pleadings, the impugned orders, and the material placed on record, and we have heard learned counsels for the parties. We first deal with the preliminary objection as to maintainability. The respondents' contention proceeds on the premise that since a college cannot demand an examination centre as a matter of right, it cannot challenge cancellation. This conflates two distinct matters. One is the initial grant/allotment of a centre, which may involve administrative discretion. The other is withdrawal/cancellation of an existing centre that has been granted and continued for years,

which carries civil consequences. In the latter case, the institution is visited with adverse consequences, including stigma and reputational injury, and the decision affects students who have been associated with that centre. Once an examination centre is allotted and consistently continued, the institution acquires, at minimum, the right to insist that withdrawal is not arbitrary; that it conforms to the governing standards/regulations; and that principles of fairness, transparency, and reasoned decision-making are observed. None of the petitioners before us are demanding creation of a new centre as an initial privilege; they challenge cancellation of an existing centre. We therefore reject the objection on maintainability and hold that the petitions are maintainable.

18. On merits, the central issue is whether the cancellation orders suffer from arbitrariness, violation of prescribed standards/procedure, absence of reasons, disproportionality, and want of jurisdiction/competence in the decision-making process; and whether, in the facts pleaded, such an extreme institutional consequence can be sustained.

19. We have perused the impugned order. It makes reference to an incident of malpractice during the English paper on 11.02.2025 and thereafter, in a conclusory manner, records that the examination centre

stands cancelled. The order is cryptic. It does not describe the nature of the irregularity, whether it was copying by a candidate, whether any material was seized, whether any supervisory lapse was found, whether any complicity was attributed, or whether the incident was of mass scale or isolated. It does not demonstrate consideration of the petitioner's reply to the show cause notice. It does not record why the explanation was unacceptable or why a lesser corrective measure would not suffice. In administrative law, particularly where an order has grave civil consequences, reasons are the heartbeat of the decision. Recording of reasons is not a mere formality; it demonstrates application of mind, assures fairness, enables judicial review, and instills public confidence that the power has not been exercised arbitrarily or capriciously. Where the consequence is permanent cancellation of an examination centre which is an action akin to a major penalty for the institution then the reasons must be clear, relevant, and proportionate to the material.

20. The respondents, in their reply, have admitted that it was a single stray incident involving one candidate. Once this is the admitted factual position, then by its very nature it does not automatically fall within categories such as "mass copying" or "various instances" of malpractice, unless there is additional material indicating systemic involvement or repeated occurrences. No such material is reflected in

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the impugned order. Even where the State's objective is to maintain sanctity of examinations and eradicate cheating, the response must be calibrated. A zero-tolerance policy towards cheating cannot mean non-reasoned, mechanically imposed collective punishment on an institution for the act of a single examinee, absent a finding of complicity, persistent negligence, or repeated breakdown of safeguards.

21. We also find substance in the petitioners' contention that the procedure contemplated in the standards/regulations has not been complied with. The petitioners have pointed to specific steps and timelines: the nature of show cause, the time for reply, the requirement of meaningful hearing by the competent committee, and the requirement of communication within a stipulated timeline (including reference to communication by 15 October). In the present matter, the show cause notice was issued on 09.07.2025; the petitioner's reply was submitted in August 2025; and the decision cancelling the centre is dated 18.12.2025. The delay is not merely a technical deviation. It undermines predictability and fairness in academic administration. Examination centre allocation affects thousands of candidates and families. A delayed decision close to the next examination season, without demonstrable urgency or recorded reasons for delay, increases the risk of avoidable hardship and administrative chaos. If the standards

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prescribe timelines, it is because the system needs certainty well in advance of February/March examinations.

22. Further, the record as argued indicates that the competent committee requirement is not shown to have been satisfied. The respondents seek to justify jurisdiction by reference to standing committees and their authority as agents of the State Board. Even assuming committees exist with broad powers, the law still requires that the particular power be exercised by the designated competent body following the mandated procedure and with recorded reasons. The minutes of the meeting dated 10.11.2025, as relied upon in argument, do not convincingly establish that a reasoned decision to permanently cancel the petitioners' centres was taken by the competent committee in the manner communicated by the impugned order. Rather, there appears a disconnect between internal deliberations and the impugned communication. A citizen or institution must not be left to speculate which committee decided what, on what material, and why. A decision affecting rights and reputation must be traceable to the competent authority and communicated as such.

23. The respondents' submission that hall tickets with QR codes were already prepared and therefore interference would disrupt the programme cannot validate an order that is otherwise illegal.

Administrative convenience cannot cure a jurisdictional defect, procedural illegality, or the absence of reasons. Moreover, if the respondents themselves issued the cancellation in December 2025, they cannot take advantage of the urgency created by their own delayed action to defeat judicial review. The balance of convenience in education matters must be assessed with a view to legality and student welfare. If the petitioners' centres have been functioning for years and are now cancelled by a cryptic, procedurally defective order, it is student welfare and not administrative finality of QR-coded hall tickets that must prevail, subject of course to strict conditions ensuring fairness.

24. We also consider the argument that the institution has no control over the staff deputed by the authorities. We agree with the broader principle that responsibility must be fixed where it lies. In Board examinations, supervision and invigilation are controlled by the Board's machinery and administration. If the allegation is institutional connivance, there must be a recorded finding based on material. If the allegation is mere occurrence of copying by a candidate detected and acted upon, then the system worked to that extent; the answer then is strengthening vigilance and fixing responsibility on those who failed, rather than imposing an irreversible stigma upon an institution without

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findings. Institutional cancellation can be justified where there is established complicity, tolerance of mass malpractice, repeated incidents, or demonstrable failure over time despite warnings. That is not what emerges on the record before us, particularly when the respondents admit the incident was solitary.

25. We therefore hold that the impugned orders suffer from (i) absence of reasons and non-application of mind; (ii) violation of the procedure and timelines contemplated under the governing standards/regulations; (iii) lack of demonstrated jurisdictional compliance with the requirement that the competent committee take and communicate the decision; and (iv) disproportionality, inasmuch as the gravest institutional consequence has been imposed on the admitted premise of one stray incident by a candidate, without findings of institutional involvement or repeated malpractice.

26. Having held so, we consider it necessary to record, emphatically, that ensuring free, fair, and malpractice-free examinations for standards X and XII is of overriding public interest. Students are the future of the nation. In contemporary competitive conditions, even marginal marks can determine admissions, scholarships, and careers. Any dilution of examination integrity is a direct injustice to honest students who prepare diligently. The State's objective to implement programmes

aimed at a “copy-free” examination environment is laudable and necessary. Courts will support strict measures that are lawful, reasoned, proportionate, and uniformly implemented. At the same time, rule of law requires that even in pursuit of the most legitimate ends, public power must be exercised within the bounds of procedure, fairness, and rationality. The legitimacy of anti-cheating enforcement is strengthened, not weakened, when it is implemented transparently with documented reasons, calibrated consequences, and accountability of the officials actually conducting examinations.

27. We are also conscious that examination governance is a shared responsibility. Institutions that provide premises must create an environment of discipline and vigilance. Authorities that deploy staff must ensure staff competence and integrity, and must fix accountability when lapses occur. A system that punishes only institutions while leaving supervisory lapses unaddressed is neither fair nor effective in deterrence.

28. In that view, while allowing these petitions, we consider it appropriate to issue regulatory directions, in the nature of safeguards, which are necessary to balance student welfare, institutional fairness, and examination integrity. These directions are intended to ensure that examination centres function under strict surveillance and that

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responsibility is fixed precisely, thereby protecting meritorious students and maintaining confidence in the Board's processes.

29. Accordingly, the writ petitions are allowed. The impugned orders cancelling the petitioner institutions' examination centres, including the order dated 18.12.2025 passed by Respondent No.3, are quashed and set aside.

30. Respondent Nos.2 and 3 are directed to restore and continue the examination centres of the petitioners for the ensuing examinations scheduled from February 2026, including examinations for standards X and XII, subject to compliance with the conditions and safeguards recorded herein.

• **PETITIONERS TO FILE UNDERTAKING**

31. Each petitioner institution shall, within a period of two weeks from today, submit an undertaking on its letterhead, duly signed by the Head of the Institution, stating in clear terms that the institution shall take all precautionary measures to ensure examinations at its premises are conducted in a free, fair, and transparent manner; it shall not tolerate any malpractice, copying, use of prohibited material, impersonation, or any irregularity; it shall cooperate with all inspections, flying squads, and surprise checks; and it shall promptly

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report any suspicious activity to the Centre In-charge and the Board authorities. The undertaking shall further state that the institution shall facilitate installation and functioning of monitoring mechanisms as directed by the Board.

- **PRECAUTIONS AND FACILITATES BY EXAMINATION CENTRE**

32. Each Examination institution shall, at its own cost and in coordination with the Centre In-charge, ensure the following minimum safeguards such as regulated entry and exit; proper sitting arrangement ensuring adequate spacing; display of prohibited items and examination instructions at prominent locations; deployment of adequate number of internal security/guards to prevent entry of unauthorized persons; and maintenance of a visitors' register and incident register. The institutions shall ensure that the premises allotted for examinations are free from obstructions and provide a controlled environment for supervision and frisking as per Board norms.

- **DIRECTIONS TO AUTHORITIES**

33. Respondent Nos.2 and 3 shall ensure that the staff deputed for examinations, including invigilators and supervisory staff, is duly qualified, trained, and sensitized. Before examinations commence, a brief mandatory orientation shall be conducted, emphasizing zero

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tolerance to malpractice, proper seizure and reporting protocols, and duty to act without fear or favour. The Board shall ensure that the Centre In-charge is specifically made responsible for compliance with protocol and for immediate reporting of any irregularity.

- **DISCIPLINARY ACTIONS AGAINST THE RESPONSIBLE STAFF**

34. Where invigilation staff is deputed by the authorities and the conduct of the examination is under their control, and where malpractice or irregularity occurs, Respondent Nos.2 and 3 shall not mechanically proceed against the institution merely because its premises were used. The authorities shall hold a prompt, fair inquiry identifying the persons responsible, including invigilators, supervisors, Centre In-charge, and any other staff, and shall fix liability proportionate to culpability. Where warranted, disciplinary action shall be initiated against responsible staff, and appropriate adverse entries may be made in service records, in accordance with law and service rules, so that accountability is real and deterrent.

- **CLOSURE ACTION OF EXAMINATION CENTRE BY AUTHORITIES**

35. If any centre is proposed to be closed in future, Respondent Nos.2 and 3 shall strictly adhere to the governing standards/regulations, including issuance of a detailed show cause

notice specifying the allegations and material relied upon; furnishing of relevant documents to the concerned institution to the extent permissible in law; granting reasonable time to respond; providing a meaningful personal hearing before the competent committee; and passing a reasoned order demonstrating application of mind and proportionality. The decision shall be communicated within the prescribed timelines so that students and administration have certainty well before the commencement of examinations.

36. Respondent Nos.2 and 3 shall ensure uniformity and non-discrimination in the application of standards across centres. If action is taken against certain centres for comparable incidents, the Board shall maintain records demonstrating rational basis for differentiation, so that similarly situated centres are treated similarly. A transparent matrix of action such as warning, enhanced vigilance, temporary restrictions, or closure should be applied in proportion to the gravity and frequency of incidents, rather than as an undifferentiated punitive response.

37. We clarify that if, in future, there is credible material demonstrating mass copying, repeated incidents over successive examinations, institutional connivance, obstruction to supervisory staff, or persistent failure to implement safeguards despite warnings, Respondent Nos.2 and 3 shall be at liberty to take stringent action,

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including closure, provided it is taken by the competent authority following due procedure and by a reasoned order. The present allowance of the petitions shall not be construed as dilution of the mandate of fair examinations; rather it ensures that enforcement remains lawful, targeted, and effective.

38. The respondent authorities are directed to circulate this order to the institutions which have been granted examination centres for Classes X and XII.

39. With the aforesaid directions, all the petitions stand allowed. The impugned orders in each petition are quashed and set aside. Rule is made absolute. No order as to costs.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE