

This order is corrected pursuant to the speaking to the minutes order dated 07/04/2026.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 496 OF 2026

Shree Balkrishna Shikshan Sanshta Nandeshwar ...Petitioners
Thr Sec And Anr
Versus

The State Of Maharashtra Thr
Department Of Education And Others ...Respondent
With

WRIT PETITION NO. 626 OF 2026

Shri Chandrashekhar Vidyalay And Narayankaka ...Petitioner
Aagashe Junior College Shripur
Versus

The State Of Maharashtra Through The
Secretary, School, Education And Sport Department, ...Respondent
With

WRIT PETITION NO. 13220 OF 2025

Shivshakti Shikshan Prasarak Mandal, ...Petitioner
Tembhurni Thr. Its Headmistress
Versus

State Of Maharashtra Thr
The Secretary And Ors ...Respondents

Mr. Shrikrishna Ganbawale with Mr. Hitesh G. Raninga, Advocate for the
petitioner in WP/496/2026.

Mr. Harishchandra Kamble a/w. Mr. Dinesh Sonarlikar, Advocate for
petitioner in WP/13220/2025.

Dr. Shrikant Madhav Kulkarni a/w. Adv. Amit Nehatrao, Advocate for
petitioner in WP/626/2026.

Mr. V. M. Mali, AGP for respondents-State in WP/496/2026
 Ms. T. J. Kapre, AGP for respondents-State in WP/626/2026
 Mr. A. A. Naik, AGP for respondents-State in WP/13220/2025.
 Mr. S. B. Khamkar, Advocate for respondent No.2.

Coram : Madhav J. Jamdar &
 Pravin S. Patil, JJ.

Date : March 11, 2026.

P. C. :

1. Heard the learned Advocates for the petitioners, the learned AGP for the Respondent-State and the learned Advocate for respondent No.2.
2. As a common issue is involved in all these Writ Petitions, they are taken up for hearing together.
3. The petitioners have challenged the impugned orders in these Writ Petitions filed under Article 226 of the Constitution of India by which the respective educational institutions have been permanently debarred from being allotted as centres for conducting the 10th and 12th standard examinations respectively. The details of the impugned orders and other particulars are set out in tabular form as follows:

Sr.	Writ Petition Numbers	Name of Petitioners' Institution	Date of Impugned Order
1	496 of 2026	Shree Balkrishna Shikshan Sanshta Nandeshwar	11 th December 2025
2	626 of 2026	Shri Chandrashekhkar Vidyalay And Narayankaka Aagashe Junior College Shripur	11 th December 2025
3	13220 of 2025	Shivshakti Shikshan Prasarak Mandal, Tembhurni	11 th December 2025

4. It is the submission of the learned Advocate for the petitioners that in similar circumstances this Court, by a common order dated 28th January 2026 passed in Writ Petition No.13066 of 2025 along with Writ Petition No.13224 of 2025 and Writ Petition No.13223 of 2025, has set aside the impugned orders of similar nature.

5. For the purpose of appreciating the controversy involved in these Writ Petitions, it is relevant to refer to paragraph No.7 of the affidavit in reply filed on behalf of respondent No.2 – Minakshi Raut, Divisional Secretary of Maharashtra State Board of Secondary and Higher Secondary Education, Pune Divisional Board in Writ Petition No. 496 of 2026. Paragraph 7 of the said affidavit reads as under :-

“7.I say that admittedly the centre was involved in copying case in the 12th board exam of the year Feb/March 2025. In fact the deputy education officer found that candidates were involved in malpractice. The respondent no.2 states that there are 02 copying case with the centre and hence the impugned letter was issued on 11th December 2025 thereby debarring the petitioner as an examination centre.”

6. Similar contentions are raised in the affidavits filed in the other Writ Petitions. Thus, paragraph No.7 of the affidavit in reply filed in Writ Petition No.496 of 2026 clearly shows that as far as the 12th Board examination of February–March 2025 is concerned, the Deputy Education Officer found that 2 candidates were involved in malpractice. In fact, in other two writ petitions, only one candidate in each of the institution was

found to be involved in the malpractice.

7. What is relevant to note is that in the educational institutions of the petitioners only two candidates / one candidate, as the case may be, were found involved in the malpractice. Even as per the case of the Maharashtra State Board of Secondary and Higher Secondary Education, Pune Divisional Board, the authorities of the educational institutions were not involved in the malpractice.

8. Although Mr. Khamkar, learned Advocate for respondent No.2, has strongly opposed the grant of any relief, it is not the case of the authorities that those respective educational institutions were involved in malpractice and it is only a few students who were involved in malpractice. Therefore, the action of permanently debarring the petitioners' institutions from allotment as centres for conducting the 10th and 12th standard examinations cannot be sustained.

9. Accordingly, the impugned orders are quashed and set aside. The Writ Petitions stand allowed in the above terms. Consequently, the examination centre numbers of the petitioners are restored. No order as to costs.

[Pravin S. Patil, J.]

[Madhav J. Jamdar, J.]