



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1379 OF 2026

Shafiqurraheman Afzal Khan

Vs.

Maha. State Board of Tech. Education (MSBTE), Thr.
Director/Controller of Examination, Mumbai and Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Moin Imran Khan Mukhtar Khan, Advocate for the Petitioner.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 20th FEBRUARY, 2026.

1. Heard learned counsel for the Petitioner.
2. The contention is that the petitioner who had appeared for D. Pharm exam on 4th December 2025, had inadvertently and by mistake carried his iPhone 16 into the examination hall. Upon realization, he immediately brought to the notice of examination staff and voluntarily surrendered the iPhone 16 to the staff on duty.
3. However, the perusal of the petition reveals that the invigilator has seized the aforesaid mobile phone in the matter of the copying and accordingly issued show cause notice, which is at record page No.13- Annexure- 3.
4. The learned counsel for the petitioner submits that in spite of approaching the authorities on repeated occasions his

mobile phone is not yet released.

5. The perusal of the petition reveals that the petitioner had sent legal notice on 28th December 2025 to the respondents. However, the aforesaid notice has not been replied by the respondents.

6. In view of the above, we dispose of the present writ petition with a direction to respondent No.1- Maharashtra State Board of Technical Education to treat the aforesaid legal notice dated 28th December 2025 which is at record page No.19- Annexure- 5 submitted by the petitioner for grant relief of return of seized iPhone 16 of the petitioner.

7. The respondent No.1 is directed to decide the aforesaid representation in accordance with the law within a stipulated period of four weeks from the date of receipt of the order of this Court.

8. The decision taken thereupon shall be communicated to the petitioner within a period of two weeks from such decision.

9. Writ Petition is accordingly disposed of.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)