



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

WRIT PETITION NO.2804 OF 2024

Fardeen Khan s/o Miraj Khan ... Petitioner

- Versus -

The State of Maharashtra and others ... Respondents

Mr. F.T. Mirza, Senior Advocate assisted by Mr. Abdul Subhan,
Advocate for the petitioner,
Mr. D.P. Thakare, Additional Government Pleader for respondent
no.1-State.

CORAM : BHARATI DANGRE &
ABHAY J. MANTRI, JJ.

DATE : 24th September, 2024.

P.C. :

The petitioner, who is desirous of appearing in the Foreign Medical Graduates Examination (FMGE), poses a difficulty since the Maharashtra State Board of Secondary and Higher Secondary Education, Amravati Divisional Board, Amravati which issued him a fresh mark-sheet upon he applying for revaluation, showed the deduction by two marks.

2. The grievance of the petitioner, which is put before us through the learned Senior Counsel Mr. Mirza, is in regards Clause

No.14 of the Instructions issued by the Maharashtra State Board of Secondary and Higher Secondary Education, Pune in respect of revision of the answer book and the said clause necessarily contemplate that if the change in the marks to be obtained is more or less than 5%, in that case, it shall be construed as “no change”. By relying upon the said clause, he seeks a direction to the Board to issue fresh mark-list, without reflecting any change in the subject – Biology.

3. Hence, issue notice to respondent nos.2, 3 and 4 by making the same returnable on **15.10.2024**.

4. Mr. D.P. Thakare, learned Additional Government Pleader waives notice for the State.

5. Notice is permitted to be served by Hamdast and in addition by private mode of service including notice by e-mail communication.

(ABHAY J. MANTRI, J.)

(BHARATI DANGRE, J.)