

ITEM NO.103

COURT NO.8

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 6256 OF 2010

MAH.STATE SE.& HIGHER SEC.EDUCATION.PUNE

Appellant (s)

VERSUS

STATE OF MAHARASHTRA & ORS.

Respondent(s)

[WITH APPLN. FOR CORRECTION]

WITH
Civil Appeal NO. 6257 of 2010
(With appln. For bringing on record the additional facts and with
office report)
Civil Appeal NO. 6258 of 2010
(With office report)
Civil Appeal NO. 6259 of 2010
(With office report)
Civil Appeal NO. 6261 of 2010
(With office report)

Date: 01/12/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s) Ms. Taruna A. Parsad, Adv.
Mr. M.K. Begg, Adv. for
M/S Fox Mandal & Co.

Mr. Pradeep Kumar Bakshi, Adv

Ms. Asha Gopalan Nair, Adv.

Mr. Harish Pandey, Adv.

For Respondent(s) Mr. Mahesh Agarwal, Adv. for
Mr. E.C. Agrawala, Adv.

Mr. Vinay Navare, Adv. for
Ms. Abha R. Sharma, Adv.

Mr. Vikas Mehta, Adv.

UPON hearing counsel the Court made the following

O R D E R

2

1. In these matters, some students had filed the writ
petitions as also their parents challenging the new pattern
of evaluation in the class X examinations. They succeeded
before the High Court. The State of Maharashtra and
Maharashtra State Board of Secondary and Higher Secondary
Education are in the Special Leave Petitions before us.

2. While issuing the notice, this Court on 13.7.2010, passed an interim order, as a result of which, the system of evaluation, which was struck down by the High Court, was directed to be continued with some modifications.

3. It is reported that the admissions to Class XI of the students-petitioners were made on the basis of the aforesaid interim order passed by this Court. So in that sense, there would be no necessity to hear the students or their parents who have practically succeeded because of the interim order. However, the question still remains regarding the validity of the Resolution/order dated 25.2.2010 and corrigendum dated 14-16th June, 2010 which were struck off by the High Court vide impugned order. For that purpose, it will be enough if other parties who are interested in supporting the impugned order of the High Court are served. They alone shall be served by dasti service. The service to the students who have succeeded on account of interim order dated 13.7.2010 is dispensed with.

4 List these matters after eight weeks.

3

(Pardeep Kumar)
Court Master

(Shashi Bala Vij)
Court Master