

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
SPECIAL CIVIL APPLICATION No. 8948 of 2012

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HIREN DEVCHANDBHAI KAKADIYA & 16 - Petitioner(s)
Versus
STATE EXAMINATION BOARD & 2 - Respondent(s)

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Appearance :

MR DP JOSHI for Petitioner(s) : 1 - 17.

MR. PRANAV DAVE, LEARNED AGP FOR Respondent(s) : 1,
None for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE KS JHAVERI

Date : 06/07/2012

ORDER

1. By way of this petition, the petitioner has prayed for following reliefs:-

(A) This Hon'ble Court be pleased to admit and allow this petition.

(B) This Hon'ble Court be pleased to issue appropriate writ, order or direction including the writ in the nature of mandamus and respondent authority be restrained from allowing B. Com. Graduate in Economics subject with 50% marks to appear in Teachers Eligibility Text – II examination for Social Science subject as per Resolution dated

27.4.2011 bearing No. PRL-1111-711-K issue by the Education Department, Gujarat Government and two separate Resolutions for amendment dated 14.07.2011 and dated 3.5.2012 and subsequent Notification dated 24.5.2012 of State Examination Board bearing No. RPB/TET-II/2012/1340-1424.

(C) This Hon'ble Court be pleased to issue appropriate writ, order or direction including the writ in the nature of mandamus and be pleased to quash and set aside unreasonable part from Resolution dated 27.4.2011 bearing No. PRL-1111-711-k issued by the Education Department and two separate Resolutions for amendment dated 14.07.2011 and dated 3.5.2012 and subsequent Notification dated 24.5.2012 of State Examination Board bearing No. RPB/TET-II/2012/1340-1424 allowing B.Com Graduate with 50% marks from appearing in Teachers Eligibility Test-II examination for social Science subject.

(D) xxx

(E) xxx"

2. I have heard learned advocate appearing for

the parties. Considering the facts and circumstances of the case, this Court does not deem it appropriate to entertain this petition since the examination is to be held on 08.07.2012. The present petitioners have approached this Court at the last minute and have sought reliefs which are difficult to consider at this stage. The respondents are empowered to frame guidelines for different courses and I am of the opinion that Court should refrain themselves from substituting their opinion in place of the opinion of the Experts constituted by the competent authority. Therefore, the present petition cannot be entertained. Hence, the same is dismissed.

[K.S.JHAVERI,J.]

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THE HIGH COURT
OF GUJARAT
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