

IN THE HIGH COURT OF BOMBAY AT GOA

LD-VC-CW NO. 205 OF 2020

Ms. Kavya Jagdish Shetty
Daughter of Mr. Jagdish Shetty,
aged 22 years,unmarried,
domestic help and student,
Indian National, resident of
Indona, Davorlim,
Salcete, Goa.

..... Petitioner

V e r s u s

1. Union of India,
Through Ministry of Human
Resource and Development
with office at 302-C, Shastri Bhavan
New Delhi – 110001
2. National Institute of Open Schooling
An Autonomous Institution under
Department of School Education
and Literacy, M.RH.R.D., Government of
India, having office at A-24-25,
Institutional Area, Sector-62, Noida,
Uttar Pradesh, 201 309.
3. Department of School Education and Literacy
M.H.R.D., Government of India, having office
at C Wing, Shastri Bhavan,
Dr. Rajendra Prasad Road,
Rajpat Area, Central Secretariate,
New Delhi, 110001.

..... Respondents

Mr. Jatin Ramaiya, Advocate for the Petitioner.

Mr. S. Karpe, Assistant Solicitor General for the Respondent nos.1 and 3.

Mr. V. Tokekar, Advocate for the Respondent no.2.

Mr. D. Pangam, Advocate General for the State of Goa.

Coram :- M. S. SONAK &
M. S. JAWALKAR, JJ.

Date : 25th November, 2020

ORAL JUDGMENT (Per M. S. Sonak, J.)

1. Heard Mr. Ramaiya, learned Counsel for the petitioner, Mr. Tokekar, learned Counsel for the respondent no.2 and Mr. S. Karpe, learned Assistant General Solicitor for the respondent nos. 1 and 3.

2. Rule. Rule made returnable forthwith. Learned Counsel for the respondents waive service.

3. From time to time, this Court made various Orders in this petition.

4. Today, Mr. Tokekar, the learned Counsel for the respondent no.2, on instructions, makes a statement that the public examination at which the

petitioner can appear, will be held in January, 2021, although, the date as such has not been finalized now. He states that the petitioner can apply for registration between 23.11.2020 and 10.12.2020 in order to attend the examination.

5. On the last occasion, we were informed that it may not be possible to have the examination centre in Goa and that the petitioner will have to attend the examination at Pune. Therefore, we had requested the learned Advocate General to see if any financial assistance be extended to the petitioner by the State in order to enable her to attend the examination at Pune.

6. Today, Shri Jatin Ramaiya, the learned Counsel for the petitioner, states that the learned Advocate General has graciously ensured financial assistance to the petitioner in order to enable her to pursue with her education.

7. We record our appreciation at this gesture of the learned Advocate General. In fact, in this matter, neither the learned Advocate General nor

the State of Goa, were really concerned. However, we appreciate that some financial assistance has been extended to the petitioner considering her circumstances and her urge to study further.

8. Mr. Tokekar, the learned Counsel states that all possible co-operation in terms of law will be extended to the petitioner in pursuing her education.

9. According to us, though it may not be appropriate to issue any direction to have an examination centre in Goa, the respondent no.2 must at least consider the feasibility of having such a centre in Goa so that not only the petitioner but also the students similarly placed, have access to the education. We are sure, that the respondent no.2 will look into this aspect with the required seriousness and sensitivity.

10. We also record that Mr. Tokekar, the learned Counsel for the respondent no.2, had adopted proactive and helpful approach in this matter and even the respondent no.2 has not treated this matter as some adversarial litigation. We appreciate this approach on the part of the respondent no.2 as well as their Counsel Mr. V. Tokekar.

11. Similarly, we also appreciate the efforts put in by Mr. Jatin Ramaiya, the learned Counsel appointed to appear on behalf of the petitioner in this matter.

12. We, now, dispose off this petition by accepting the statement of Mr. Tokekar with the fond hope that the respondent no.2 takes such further steps to facilitate access to education, not only to the petitioner, but also to all students similarly circumstanced.

M. S. JAWALKAR, J.

M. S. SONAK, J.

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