



CNR: KAHC010507992026

NC: 2026:KHC:48453
WP No. 23250 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 23250 OF 2026 (EDN-RES)

BETWEEN:

1. MISS SANNIDHI J SHETTY
D/O JAGADISH K SHETTY
AGED ABOUT 24 YEARS
SATHYA NIDHI,
SRI SAI FARM HOUSE,
JANUVARU KATTE,
POST AND VILLAGE BILLADI-576 223,
UDUPI DISTRICT.

... PETITIONER

(BY SRI. K. CHANDRANATH ARIGA, ADVOCATE)

AND:

1. THE RAJIV GANDHI UNIVERSITY
OF HEALTH SCIENCES
4TH T' BLOCK, JAYANAGAR,
BENGALURU - 560 041.
REPRESENTED BY ITS REGISTRAR
2. SRINIVASA INSTITUTE OF
MEDICAL SCIENCE AND RESEARCH CENTER,
SRINIVASANAGAR
POST: MUKKA - 574 146
MANGALURU TALUK,
D.K. DISTRICT.
BY ITS DEAN.

... RESPONDENTS

(BY SMT. FARAH FATHIMA, ADVOCATE FOR R1;
SRI RAKESH B. BHATT, ADVOCATE FOR R2)

Digitally
signed by
PRAKASH N
Location:
HIGH
COURT OF
KARNATAKA



CNR: KAHC010507992026

NC: 2026:KHC:48453
WP No. 23250 of 2026

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO A) DIRECT THE RESPONDENT NO.2 TO RETURN THE ORIGINAL CERTIFICATES AND DOCUMENTS TO THE PETITIONER AS SHOWN IN ANNEXURE-N AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

The petitioner has sought for directions to respondent no.2 to return the original certificates and documents as indicated at Annexure-N.

2. The brief facts as are made out are that the petitioner admitted herself to the respondent no.2 College on 09.02.2022 and had also attempted the examination for the first year. It is also made out that the petitioner had certain medical ailments. The petitioner, it is asserted had paid examination fees for first year MBBS for the subjects Anatomy, Physics & Bio Chemistry.



CNR: KAHC010507992026

NC: 2026:KHC:48453
WP No. 23250 of 2026

3. However, for certain reasons, the petitioner, it is stated had approached respondent no.2 and requested to return all original documents and such request not being honoured. The present writ petition has been filed seeking appropriate directions to respondent no.2 to return the original certificates and documents.

4. Learned counsel for petitioner has relied on Circular dated 10.11.2016 issued by the respondent no.1 and submits that in terms of the Circular, the colleges affiliated to the Universities have been directed to follow the directions issued by the University Grants Commission (UGC) and facilitate students to leave their institution whenever they wish to, by returning the original documents and refund the fees wherever due without any undue delay and avoid situation that would compel the students/parents to seek the intervention of University/Commission/court etc.



CNR: KAHC010507992026

NC: 2026:KHC:48453
WP No. 23250 of 2026

5. Reliance is placed on UGC notification of October, 2018 on retention of original documents and refund of fees in case student leaves after joining the course. It is submitted that even in terms of UGC Notification, the college is not entitled to maintain the original documents.

6. Learned counsel appearing for the second respondent college has filed statement of objections and has specifically asserted that the petitioner along with her parents had executed a Bond agreeing that in case of discontinuation of course, they are liable to pay entire course fees. It is further asserted that neither the petitioner nor her parents have intimated the college regarding discontinuation of the course.

7. Learned counsel appearing for the second respondent college has also stated that the only original documents in possession of the second respondent are original SSLC Marks Card, original PUC Marks Card, Transfer Certificate and Study Certificate issued by Little



CNR: KAHC010507992026

NC: 2026:KHC:48453
WP No. 23250 of 2026

Rocks School. It is further submitted that the petitioner is obliged to adhere to the undertaking made to the college.

8. Heard both sides.

9. Perused the Circular bearing No.RGUHS/SWF/DSW/GRC/33/2016-17 dated 10.11.2016 issued by the first respondent. The relevant contents of the said Circular is extracted below:

"Hon'ble High Court of Karnataka in the reference cited above, has ordered that the college is not justified in withholding the testimonials of the student on the ground that she has failed to pay the fees which she was bound to pay. The Hon'ble Court has felt that if any such obligation is present on the part of the student, it is open for the college to recover the same by means known to law. The Hon'ble court further added that it is not open for the institution to "blackmail" as it were, to pay the fees by withholding the original documents.

In view of the above, it is advised to the Principals of all affiliated colleges of this University to follow the guidelines issued by the University



CNR: KAHC010507992026

NC: 2026:KHC:48453
WP No. 23250 of 2026

Grants Commission and facilitate the students to leave their institution whenever they wish to, by returning the original documents and refund the fees wherever due without any undue delay and avoid situation that compels the students/parents to seek the intervention of University/ Commission/ court etc.

10. It is also to be noticed that University Grants Commission has issued notification in October, 2018 on refund of fees and non-retention of original certificates. A perusal of the said notification indicated that even at the time of admission, verification of the certificates of candidates is required to be done and attested copies be retained while returning the original documents.

11. Para 4.2 deals with Verification and Non-retention of students' Academic and Personal Certificates which reads as under:

"4.2 Verification and Non-retention of Students' Academic and Personal certificates"



CNR: KAHC010507992026

NC: 2026:KHC:48453
WP No. 23250 of 2026

4.2.1 No HEI shall insist upon a student to submit the original academic and personal certificates, like, mark-sheets, school leaving certificates and other such documents, at the time of submitting admission form, but the submission of self-attested copies thereof shall be mandatory.

4.2.2 HEIs shall physically verify the originals at the time of admission of the student in his/her presence and return them immediately after satisfying themselves about their authenticity, keeping the attested copies for their record.

4.2.3 The self-attested certificates of students shall be held valid and authentic by institution concerned and/or the affiliating university for all purposes and administrative requirements and should there be a need for physical verification at any time during the course of the programme of study, such verification shall be undertaken and the original certificates thus used for verification shall be returned immediately to the student concerned.

4.2.4 Taking the certificates into institutional custody under any circumstance or pretext is strictly prohibited.



CNR: KAHC010507992026

**NC: 2026:KHC:48453
WP No. 23250 of 2026**

4.2.5 In case of any suspicion over the authenticity or genuineness of a certificate, reference may be made to university or the Board which issued the certificate to the student and the admission be subjected to the authentication, but original certificate shall not be retained by the HEI under any circumstance."

12. If that were to be so, the question of collecting original certificates itself does not arise. Insofar as violation of UGC Circular, punitive action by the Commission against defaulting Higher Education Institutions is provided at para 5. Accordingly, the question of retaining the original certificates of the student would not arise.

13. In light of the Circular of the first respondent and UGC Notification, respondent no.2 College to return the documents mentioned at para 6 which are stated to be in custody of respondent no.2, to the petitioner within four weeks from today. Insofar as binding obligations of the petitioner as contended by the respondent no.2,



CNR: KAHC010507992026

**NC: 2026:KHC:48453
WP No. 23250 of 2026**

respondent no.2 is at liberty to take appropriate action as is permissible in law. It is further clarified that the rights of second respondent to proceed against the petitioner cannot be extended so as to create a lien on the documents. Accordingly, respondent no.2 to release the documents as directed and liberty is reserved to exercise their right insofar as obligation against the petitioner in accordance with law.

14. Accordingly, the petition is disposed of.

**Sd/-
(S SUNIL DUTT YADAV)
JUDGE**

NP