



2026:UHC:3211

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No.2372 of 2025

28th April, 2026

Tanish Jitendra Kochhar

.....Petitioner

Versus

Union of India and another

.....Respondents

Presence:-

Mr. Devang Dobhal and Ms. Swati Verma, learned counsel for the petitioner.

Mr. Rajesh Sharma, learned C.G.S.C. for the Union of India/respondent no.1.

Mr. Digvijay Nath Dubey, learned counsel, through video conferencing, with the Mr. Jagdish Singh Bisht and Mr. Tanmay Tiwari, learned counsel for the I.I.M., Kashipur/respondent no.2.

Hon'ble Pankaj Purohit, J.

This writ petition has been filed by the petitioner for quashing the communication/letter No.IIMKPV/MBAA/05/2025 dated 27.05.2025, annexure no.4 to the writ petition, issued by respondent no.2-I.I.M. Kashipur, whereby the petitioner was declared disqualified for promotion in the IVth Term Semester and further seeking a direction commanding respondent no.2-I.I.M. Kashipur, to promote the petitioner to the Second Year IVth Term Semester of the P.G. Programme.

2. Facts of the case shorn off unnecessary details are that petitioner took admission with the respondent no.2-I.I.M. Kashipur, in M.B.A. (Analytic) Programme 2024-26, a two year programme consisting of six semesters. Petitioner was admitted in the respondent no.2-I.I.M., Kashipur under the Category of Differently Abled Persons on the basis of a Disability Certificate. The petitioner cleared IIIrd Term Semester of the aforesaid course, but while he was in the IVth Term Semester a dispute arose



between the Institution and the petitioner with regard to his promotion to the IVth Term Semester of the Second Year. The reason of dispute was that the petitioner has to secure less than 15 Deficit Credit Point (D.C.P.), but instead he secured 17 D.C.P. in the First Year and therefore he was refused promotion.

3. Aggrieved by the decision of the respondent no.2-I.I.M. Kashipur of not promoting petitioner to the IVth Term Semester, petitioner moved this Court by filing present writ petition, in which petitioner got an interim order dated 11.08.2025, whereby respondent no.2-I.I.M. Kashipur, was directed to provisionally allow the petitioner to attend classes of Second Year of M.B.A. (Analytic Programme 2024-26) at I.I.M., Kashipur. The operation of the impugned communication/letter dated (Analytic) Programme 2024-26 was kept in abeyance accordingly.

4. The respondent no.2-I.I.M. Kashipur feeling aggrieved by the aforesaid interim order preferred a SPA No.217 of 2025, *Indian Institute of Management, Kashipur Vs. Tanish Jitendra Kochar*, and the SPA was rendered infructuous and accordingly dismissed for the reason that the respondent no.2-I.I.M. Kashipur has already complied with the interim order impugned in the SPA by permitting him provisionally in the Vth Term Semester.

5. Now the fact of the matter is this that petitioner has passed all the six semesters except IVth Term Semester and the controversy now revolves around the fact that the petitioner in between received a college placement in Amazon India under the Disability Quota, but the final degree M.B.A. (Analytic) Programme 2024-26 is not being issued to the petitioner simply for the reason that the petitioner has not completed all the Terms Semester, six in



number.

6. Learned counsel for the petitioner argued that once the petitioner has been promoted in Vth Term Semester and successfully completed/cleared Vth and VIth Term Semesters, the respondent no.2-I.I.M., Kashipur, should issue the final certificate/degree in favour of the petitioner without insisting him to complete IVth Term Semester which was left in the circumstances as stated hereinabove.

7. A short counter affidavit has been filed by the respondent no.2-I.I.M. Kashipur, and in the counter affidavit the stand taken is that the petitioner could only be issued final certificate/degree once he completed IVth Term Semester.

8. It is also contended by learned counsel for the respondent no.2-I.I.M. Kashipur, in their short counter affidavit, that the petitioner can undergo IVth Term Semester during the period 22.06.2026 and 20.09.2026 and if the petitioner participates in the IVth Term Semester, and if succeeded he will be issued the final certificate/degree.

9. Having heard learned counsel for the parties and having perused the record as well as pleadings exchanged between the parties, this Court is of the considered view that the Court cannot found favour with the learned counsel for the petitioner that the petitioner should be considered qualified in M.B.A. (Analytic) Programme 2024-26 without appearing in and clearing the IVth Term Semester. The stand of respondent no.2-I.I.M. Kashipur appears to be quite plausible and convincing. If the petitioner really wants to get the final certificate/degree in



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his favour he definitely has to undergo the IVth Term Semester Examination with success. Hence no interference is required by this Court at this stage.

10. Accordingly writ petition stands dismissed.

(Pankaj Purohit, J.)
28.04.2026

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