

IN THE HIGH COURT OF JUDICATURE AT BOMBAY, NAGPUR
BENCH, NAGPUR.

WRIT PETITION NO. 1923 of 2015

(Ghanshyam Sampatrao Fagne Vs. Rashtrasant Tukadoji Maharaj Nagpur
University, Nagpur through its Asstt. Registrar(Exam) and ors.)

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 Office Notes, Office Memoranda of
 Coram, appearances, Court's orders
 of directions and Registrar's orders

Court's or Judge's order

.....
 Shri V. V. Tekade, Advocate for petitioner
 Shri N. S. Khubalkar, Advocate for respondent nos. 1 to 3

**CORAM : B.P.DHARMADHIKARI &
S. B. SHUKRE, JJ.**

DATE : 22-4-2015.

Heard learned Advocate for the petitioner
and learned Advocate for respondent nos. 1 to 3.

It is not in dispute that the petitioner has
exhausted five chances and still could not clear
M.A.(annual pattern) course.

That course has been discontinued and
has been replaced by semester pattern. The
respondent nos. 1 to 3 are ready and willing to
permit petitioner to appear for said semester
pattern provided he appears as a fresh student in
first semester and subsequent semesters.

Learned Advocate for petitioner submits that with great difficulty, petitioner could clear two subjects and he must be given credit of those two subjects.

Our attention is also drawn to Division Bench judgment in the case of *Dr. Dnyandas s/o Kisan Chopade Vs. Nagpur University and anr.* reported at *AIR 1995 Bom 405* with submission that the petitioner as ex-student can appear for such examination.

The respondents are not denying that the petitioner is a ex-student. They have pointed out that as annual pattern course is discontinued and thereafter five chances were given to students like petitioner to obtain a degree in annual pattern course, as petitioner could not succeed in annual pattern though he exhausted all chances, the petitioner cannot be given any additional chance in annual pattern. His absorption in semester pattern is as per

directions issued by the University vide Appendix-3 which prescribes general rules and regulations in this respect. There is no challenge to these rules and regulations. The petitioner has thus, no option but to comply with those rules and regulations. Hence, with liberty to the petitioner to abide by said rules and regulations, as we do not find any merit in the writ petition, the same is disposed of with no order as to costs.

JUDGE

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