

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.11607 OF 2017

Asif Khan s/o Advocate Altaf Ilahi Khan ..Petitioner
Versus

**Body Corporate,
Savitribai Phule Pune University,
Ganeshkhind, Pune-411007 and others ..Respondents**

Ms. Sadhna Kumar, Advocate for the Petitioner.

None for the Respondents.

**CORAM : B. R. GAVAI &
B. P. COLABAWALLA, JJ.
DATE : 20th DECEMBER, 2017**

PC.

1] The Petitioner has approached this Court contending therein that the Petitioner has been erroneously declared as failed in the examination.

2] Learned counsel for the Petitioner submits that though the Petitioner has secured more than 35 marks in all the subjects, since he could not get 50% of the marks, he has been erroneously declared to be failed.

3] If the Rules and Regulations of the University required a candidate must get 35 marks and also get 50% of the total marks in

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aggregate for passing examination, we cannot issue writ to the University to declare the Petitioner as pass in the examination. In that view of the matter the Petition is rejected.

[B. P. COLABAWALLA, J.]

[B. R. GAVAI, J.]