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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.684 OF 2015

Mohsin Hanif Patel	..Petitioner
Versus	
Mumbai University, Mumbai and another	..Respondents

Mr. Narendra V. Bandiwadekar, Advocate for the Petitioner.

Mr. Rui A. Rodrigues, Advocate for Respondent No.1.

Mr. S. B. Gore, AGP for Respondent No.2 - State

**CORAM: B. R. GAVAI &
SMT. BHARATI H. DANGRE, JJ.**

DATE: 19th APRIL, 2018

ORAL JUDGMENT: (Per B.R. Gavai, J.)

1] Rule. Rule is made returnable forthwith. Heard by consent of parties.

2] This Petition arises out of peculiar facts.

3] Petitioner was admitted to B.A. Course . Petitioner was admitted on the basis of his qualifying his Senior Secondary School Examination held by the Council of Secondary and Higher Secondary Education, Delhi. However, Petitioner's admission was treated as provisional since the question as to whether the said Council was competent to

conduct qualifying examination or not was in doubt. The Respondent – University, relying on the basis that non-statutory body i.e. Council of Secondary and Higher Secondary Education, Delhi is not recognized by COBSE, though it is contended by the learned Counsel for the Petitioner that, it is not necessary that the examining body is required to be recognized by COBSE. Though this contention is vehemently opposed by Mr. Rodrigues, learned Counsel appearing for the Respondent – University, we do not find it necessary to go into the said aspect in view of the peculiar facts.

4] By passage of time, Petitioner has completed all the three years and has passed all the examinations with flying colours. In that view of the matter, we find that without going into legal issues, in view of meritorious performance by the Petitioner, Petition deserves to be allowed without this order being treated as precedent.

5] In the peculiar facts and circumstances of the present case, we direct the Respondents to treat the Petitioner's admission to the First Year B.A. Course as legal and valid admission and declare his result and issue him mark-sheet and Degree.

6] Rule is made absolute in the aforesaid terms.

(SMT. BHARATI H. DANGRE, J.)

(B. R. GAVAI, J.)