

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION LODGING NO. 3160 OF 2018**

Gayatri Vijay AdvaniPetitioner
versus
University of Mumbai through the Director,
Board of Examination and Evaluation and ors.Respondents

Mr. Atharva Dandekar i/b. Kalaimagal Mogili, advocate for the petitioner.
Mr. Rui Rodrigues, advocate for the respondent No.1.
Mr. A. G. Kothari, advocate for the respondent No.2.

**CORAM : RANJIT MORE &
SMT.BHARATI H. DANGRE, JJ.**

DATE : 25th SEPTEMBER, 2018.

P. C. :

Heard learned counsel appearing for the respective parties.

2. The petitioner has approached this Court by filing petition under Article 226 of the Constitution of India seeking direction to the respondent No.1 to declare her result of Semester VI, BBI Examination by incorporating the internal marks sent by the respondent No.2-College to the University.

3. Admittedly, the Semester VI result qua the petitioner was not declared by the respondent No.1 – University on the ground that the petitioner is shown absent for internal examination in Business Ethics and Corporate Governance.

4. It is the case of the petitioner that she was shown as absent in the above internal examination by the respondent No.2-College by inadvertence. It is the further case of the petitioner that the respondent No.2-College has rectified its inadvertent error and, accordingly, communicated the respondent No.1- University that the petitioner appeared for internal examination in the above subject and has obtained 15 marks. The petitioner's submission is supported by the letter of the respondent No.2-College dated 4th September, 2018, a copy of which is annexed at "Exhibit – B", page 14.

5. Mr. Rodrigues, learned counsel for the respondent No.1, also does not dispute that the respondent No.1-University has received the above said letter from the respondent No.2-College. However, the University wants supporting documents from the respondent No.2-College and, accordingly, letter to that effect is written to the respondent No.2- College on 5th September, 2018.

6. Mr. Kothari, learned counsel for the respondent No.2 submitted that there cannot be any supporting documents regarding the petitioner's claim that she had appeared for internal examination in Business Ethics and Corporate Governance. He submitted that the

petitioner was shown absent by mistake and that mistake has already been rectified and communication to that effect has already been sent to the respondent No.1-University.

7. In the light of the above, in our considered view, the respondent No.1-University must forthwith declare the petitioner's result of the Semester VI, BBI Examination by incorporating the internal marks obtained by her. Ordered accordingly.

6. The petition is, accordingly, made absolute in terms of prayer clause (A) and is disposed of as such.

7. All concerned to act upon a copy of this order duly authenticated by the Registry of this Court.

[SMT.BHARATI H. DANGRE, J.]

[RANJIT MORE, J.]