

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4329 OF 2014

Satish Vilas Mandale .. Petitioner
Versus
Union of India & Ors. .. Respondents

Mr. Manoj Sirsat with P.D.Pise for petitioner
Mr. S.S.Panchpor, AGP for respondent No.6
Mr.D.R.Shah for respondent No.1
Mr. A.D.Sale for respondent No.2.

CORAM : B.R.GAVAI &
DAMA SESHADRI NAIDU, JJ.

DATE : 13th March 2019.

P.C.

The petitioner has approached this Court praying for a direction to Bar Council of India – respondent No.2 that the condition of minimum 45% marks for being eligible to seek admission for L.L.B. course.

2] Learned Counsel for the petitioner states that there are two classes of law students, one, who seriously desire to practice the profession of law and second, is of students who want to study

law for the purpose of enlightening themselves.

3] Insofar as professional education is concerned, the Apex Body concerning that particular profession would have a last word in determining minimum requirements etc. This view has been taken by the Apex Court in the case of State of Tamil Nadu s. Adhiyaman Educational and Research Institute and Ors., reported in **(1995) 4 S.C.C. 104,** and the same has been consistently followed.

4] In that view of the matter, no interference is warranted in the minimum qualification prescribed by the Bar Council of India.

5] Apart from that in pursuance to the observations made by Justice Malimath Committee, that the practice of law colleges in producing half backed lawyers who turn into nothing else but a parasite of the society, should be stopped and law course should be conducted on par with the other professional courses, certain minimum restrictions in law education are necessary.

6] In that view of the matter we find no reason to interfere in

our writ jurisdiction.

7] Insofar as students who want to enlighten themselves but not practice the law, nothing stops them from learning the law from various law books which are available in the library. The petition is thus devoid of substance and hence dismissed.

(DAMA SESHADRI NAIDU, J)

(B.R.GAVAI, J)