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

WRIT PETITION NO. 13554 OF 2022

Govindkumar Ramalkhan Mishra

... Petitioner

Vs.

The University of Mumbai through
its Vice Chancellor and Ors

... Respondents

Mr Vinod P. Sangvikar, Advocate for the Petitioner

Mr Pooja Thorat,i/b Mr P.V. Thorat, for Respondent

**CORAM : NITIN JAMDAR AND
GAURI GODSE, JJ.**

DATE : 28 NOVEMBER 2022

P.C.:

Not on board. Taken on production Board by way of praecipe.

2. Heard learned Counsel for the parties.
3. Petitioner is seeking to challenge the communication dated 18 April 2022. The Petitioner is currently admitted to the LLB third year course for the academic year 2020-21. The University informed Respondent No.3-College that the Petitioner is not eligible to pursue the course as the University from which the Petitioner has obtained B.A degree i.e. Mumbai Hindi Vidhyapeeth is not in UGC approved list.
4. Learned Counsel for the Petitioner submitted that this objection was not taken when Petitioner completed First and Second year and

even for three year course he was given admission and therefore he was under impression that there was no objections regarding Petitioner's eligibility. Learned Counsel submitted that the Mumbai Hindi Vidhyapeeth is recognized by the Director of Higher Education, State of Maharashtra. Learned Counsel submits that there is no response to the communication sent by the Respondent No.3-College to University on 24 May 2022. Learned Counsel for the Respondent University submitted that this aspect will be looked into, however prima facie the recognition will have to be given by the UGC.

5. Considering the facts and circumstances, since Petitioner possess deadline of appearing for the third year LLB examination scheduled tomorrow i.e. 29 November 2022, in this facts and circumstances, we are of the opinion that the Petitioner be permitted to appear for the LLB third year examination, Semester 5 and 6 subject to response given by the University to the Respondent No.3-College regarding Petitioner's eligibility.

6. Accordingly, the Respondent - University will communicate decision to the Respondent No.3- College with copy to the Petitioner as regard issue of Petitioner's eligibility and whether if Mumbai Hindi Vidhyapeeth recognized by Director of Higher Education will confer eligibility on Petitioner, within a period of four weeks.

7. Petitioner is permitted to appear for the third year LLB examination scheduled tomorrow i.e. 29 November 2022 subject to the decision by the University as above. Petitioner shall not claim an equity, in case the response of the University is negative it is open to the

Petitioner to pursue challenge further.

8. Since the examination is scheduled tomorrow i.e., 29 November 2022, the learned Counsel for the Respondent- University states that necessary instructions would be given without waiting for the copy of the Order.

9. Writ Petition is disposed of in above terms.

(GAURI GODSE, J.)

(NITIN JAMDAR, J.)