

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6752 OF 2021

Vishnu Rambhaji Harishchandre .. Petitioner

Versus

Bar Council of India through Secretary
and others .. Respondents

Shri Rahul R. Karpe, Advocate for the Petitioner.

Shri Sachin S. Deshmukh, Advocate for the Respondent No. 1.

CORAM : NITIN JAMDAR, ACTING CJ &
S. G. CHAPALGAONKAR, J.

DATE : 21 JULY 2023.

PER COURT :-

. This petition was referred for consideration of Larger Bench by order dated 20 August 2021 crystallizing following two issues :

(a) Whether, the preparatory course under clause 4.1(1) of the Yashwantrao Chavan Maharashtra Open University, Nashik could be treated as being equivalent of HSC?

(b) Whether, acquiring the B.Com. Degree under distant learning programme of the Yashwantrao Chavan Maharashtra Open University, Nashik, on the basis of the preparatory programme of six months, could tantamount

to a candidate having acquired 10+2+3 sequential educational qualification so as to be eligible for acquiring admission to the three years LLB degree course.

2. The learned counsel for the parties have placed before us decision of the Full Bench dated 04 May 2022 answering these issues. There is consensus at the bar that the decision of the Full Bench is in favour of the Petitioner. Hence reliefs sought for in the petition are required to be granted. Accordingly the petition is allowed in terms of prayer clauses 'B' and 'C' which read thus.

B) Hold and declare that, the petitioner is eligible to secure admission to the first semester of 3 years LL.B. Course on the basis of graduation degree (B. Com.) secured from Yashwantrao Chavan Maharashtra Open University which is recognized university.

C) Issue writ of mandamus or any other appropriate writ order or direction, thereby kindly direct the respondent No. 4 Dr. Babasaheb Ambedkar Marathwada University to enroll the petitioner for the first semester of 3 years LL. B. Course through the respondent No. 3 Law College forthwith by quashing and set aside the impugned communication dated 17.04.2021 issued by the respondent No. 3 Law College and for that purpose issue necessary orders.

3. Petition disposed of as above.

(S. G. CHAPALGAONKAR, J.) (ACTING CHIEF JUSTICE)