



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5508 OF 2024

Munazzar Arshad Shaikh .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Azizoddin R. Syed, Advocate for the Petitioner.

Shri P. P. Dawalkar, A.G.P. for the Respondent No. 1.

Shri A. R. Borulkar, Advocate for the Respondent No. 2.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.**

DATE : 14 JUNE, 2024.

FINAL ORDER :

. Heard both the sides.

2. The petitioner who has passed the final examination through the respondent No. 2/university in the year 2023 is still awaiting degree certificate. It is his grievance that for want of it he has not been able to secure his admission for a course to be undertaken in Italy.

3. When the matter was taken up by us on 12.06.2024, learned advocate for the respondent No 2/university had requested to consider the communication/certificate issued by the Controller of Examination as a stop gap arrangement by treating it as a degree certificate. We had requested the learned advocate

for the petitioner to explore possibility of use of such temporary certificate.

4. Petitioner pursuant to our query tenders across the bar his affidavit expressly mentioning that for want of degree certificate he may not be in a position to secure the admission and even take steps for obtaining visa. It has been expressly mentioned that he has confirmed this fact by indulging in same query with a authorized person from the foreign institute.

5. Learned advocate Mr. Borulkar for the respondent No. 2/university would submit that convocation ceremony would be held in the next month and petitioner can get degree certificate thereafter.

6. Conspicuously, we have not been shown any regulation in respect of procedure for issuing degree certificates. If the petitioner sincerely believes on the basis of the queries raised with the foreign institute that he may not be able to secure the admission for want of degree certificate and the time is running out, in our considered view, his request for direction to the university for issuance of degree certificate is innocuous. He is not to gain some advantage by obtaining the decree certificate in respect of the course which he had completed way back in the year 2023. We do not intend to make any comment as far as functioning of the respondent No. 2/university is concerned.

7. Writ petition is allowed. We direct the respondent No. 2/university to issue degree certificate to the petitioner as expeditiously as possible and in any case before 25.06.2024.

8. Parties to act on authenticated copy of this order.

[SHAILESH P. BRAHME, J.] [MANGESH S. PATIL, J.]

bsb/June 24