



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 4878 OF 2024

Aman S/o Shyambihari Jaiswal
Vs.
Maharashtra National Law University, Nagpur

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Meet K. Thakkar, Advocate for Petitioner
Mr. P.S. Khubalkar, Advocate for Respondent

CORAM: AVINASH G. GHAROTE AND
SMT. M.S. JAWALKAR, JJ.

DATED : 21st AUGUST, 2024

Heard Mr. M.K. Thakkar, learned counsel for the the petitioner. The petitioner has not been permitted to appear in seventh semester examination on account of lack of attendance for the fifth semester in which the petitioner did not attend the classes on account of medical grounds. It is an admitted position, that the lower limit of relaxing the attendance criterion is 67% below which even the authorities do not have any discretion to relax the said criterion. Admittedly, in the instant matter, the petitioner has not satisfied the attendance criterion as indicated in the attendance status tendered across the bar and marked as "X" for identification. In our considered opinion, a student cannot be permitted to appear in the examination, without ensuring the attendance criterion, as that would

mean that without getting taught for the subject, he is considered to be eligible for the examination which considering the present set of regulations as applicable is not permissible. Permitting the petitioner, to appear in the seventh semester examination only on a humanitarian basis, would set a bad precedent, which we are not willing to do. We, therefore, do not see any merit in the petition. The petition is dismissed.

2. Mr. Khublakar, learned counsel for the respondent, upon instructions, makes a statement, that the petitioner would be allowed to reregister for the fifth semester and one subject of third semester inspite of the fact, that last date for reregistration has expired on 16th August, 2024, in case the application is made tomorrow.

(SMT. M.S.JAWALKAR J.)

(AVINASH G. GHAROTE, J.)