



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

WRIT PETITION NO. 4926 OF 2024

(Sanjay Shivprasad Gupta

Vs.

Vice Chancellor, Maharashtra National Law University, Nagpur & Ors.)

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. R.K. Thakkar, Advocate for the Petitioner.
Mr. P.S. Khubalkar, Advocate for the Respondents.

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

DATED : 22nd AUGUST, 2024

Heard.

2. The Petitioner has not been permitted to appear in 2nd year 3rd semester examination on account of lack of attendance in three subjects 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 the purpose of 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 3rd 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.

3. The Petition is **dismissed**.

4. Mr. Khubalkar, learned Counsel for the Respondents, upon instructions, makes a statement, that the Petitioner would be allowed to re-register for the 3rd semester and inspite of the fact, that last date for re-registration has expired on 16.08.2024, in case the application is made tomorrow.

5. Pending application/s, if any, shall stand disposed of accordingly.

(SMT. M.S. JAWALKAR, J.)

(AVINASH G. GHAROTE, J.)