



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1023 WRIT PETITION NO.13889 OF 2025

MAHESHWAR VIRESH GAVHANE

VERSUS

UNION OF INDIA THROUGH SECRETARY AND OTHERS

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Maheshwar Viresh Gavhane, Petitioner – Party-in-Person

Mr. Rohit Sarvadnya, Senior Panel Counsel for respondent No.1

Mr. R.S. Wani, AGP for respondent No.2

Mr. S.S. Tope, Advocate for respondent Nos.3 and 4

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CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 04th DECEMBER, 2025

ORDER :

. We have heard the petitioner – in person as well as learned Advocate Mr. S.S. Tope appearing for respondent Nos.3 and 4.

2 The petitioner states that he is taking education in LL.B. First Year in respondent No.5 college. He states that he is B.Sc. B.Ed., however, he is aspiring his career as an Advocate and, therefore, decided to join LL.B. course. He got admission from EWS and Physically Handicapped category.

He states that his mother tongue is Marathi and his knowledge about English is limited. He states that he gave application to respondent No.5 to allow him to give examination in Marathi medium. Respondent No.5 has forwarded the said application to respondent Nos.3 and 4 on 13.09.2025, which has not been answered. Another application was then given by him on 09.10.2025. He, therefore, prays that respondent Nos.3 and 4 should allow him to give examination of LL.B. in Marathi language. He also prays that steps should be taken by the respondents to impart the legal education in Marathi language, respondent No.2 – Government of Maharashtra should make available the material, examination papers and notes for legal education in Marathi language to all the students and he also seeks compensation of an amount of Rs.1,00,000/-.

3 The Party-in-Person states that he had given CET of LL.B. in Marathi language and his command over English language is limited. He, therefore, says that in view of the Constitutional rights to take education in the language of choice he should be allowed to give LL.B. examination in Marathi language.

4 Learned Advocate Mr. S.S. Tope relies on the affidavit-in-reply of Prof. Prashant S. Amrutkar, Registrar, Dr. Babasaheb Ambedkar Marathwada

University, Chhatrapati Sambhajanagar and submits that respondent – University has declared the examination programme of the LL.B. course. The examination of petitioner for the First Semester of LL.B. course would be from 17.12.2025 till 24.12.2025. Respondent Nos.3 and 4 have raised objection regarding the claim of petitioner that his knowledge about English language is limited, in view of the fact that he has the Degree in B.Sc. and then taken education in B.Ed. In respect of B.Sc. he will have to give examination in English. It is then stated that the Bar Council of India has given guidelines for the legal education, including maintaining academic standards, curriculum and infrastructure. As regards the rules of the legal education is concerned, it is stated that English shall be the medium of instruction in both the integrated five year and three year courses. However, if any University and its CLE allows in full or in part instruction in any language other than English or allows the student to answer the test papers in the periodical and final semester test in any regional language other than English, then the students will have to take English as a compulsory paper. The liberty is given to answer the test papers in any other or regional language and, therefore, according to the learned Advocate for respondent Nos.3 and 4, the petitioner would be at liberty to give the answers in Marathi, however, the examination paper would be in English language only. Learned Advocate Mr. S.S. Tope relies on the decision of the co-ordinate

Bench of this Court in **Akhil Kumar Jain vs. Children Welfare Centre's College of Law and others** in Writ Petition No.11757 of 2025 decided on 20.09.2025, wherein after taking into consideration the earlier order dated 17.09.2025, it was then found that the question paper on the subject 'Legal Language' and the photostat copy of answer sheet of petitioner therein, who had attempted the questions in Hindi, was placed before the said Court. The Rules of Legal Education, 2008 were considered and it is observed that -

“It is obvious that the subject Legal Language must be answered in English. The University, in its wisdom, along with the Rules of 2008 published by the Bar Council of India and adopted by the Bar Council of Maharashtra and Goa, warrants that the subject be answered in English, keeping in view several Latin Maxims and doctrines that are part of the syllabus.”

The Bench then doubted, as to whether the petitioner therein could have then answer the said subjects either in Hindi or in the regional language Marathi and refused to interfere in the petition.

5 Here, part of the relief claimed by the petitioner is answered. Though the examination paper would be in English, the petitioner has liberty to give answers in Marathi. It is in view of the Circular No.21/2022 issued by the University on 10.10.2022, wherein it has been stated that except the Science and Technical Education students all others can give answers either

in English or in Marathi. We have then also considered the Rules of Legal Education, 2008, wherein Schedule II provides for 'Academic standards and Courses to be studied'. No.1 is in respect of 'Medium of instruction', which states that English shall be the medium of instruction in both the integrated five year and three year courses, but then liberty is given to the University for allowing to choose students to allow the answers to be given in Marathi. Now, the petitioner states that even he wants the question paper to be in Marathi, but in view of the Rules quoted such directions cannot be given. Certainly, the University as well as the college are bound by the Rules those have been framed by the Bar Council of India for imparting legal education. Further, there need not be any directions to be given to respondent No.2 for making the notes available as it cannot be the duty of the State Government to make the notes available for any course. The petitioner is relying on the Circular No.297/2020 dated 24.11.2020 issued by Savitribai Phule Pune University, wherein according to him, there is permission to impart the legal education in Marathi. It appears that he is wrongly interpreted the said circular. It is, in fact, on the similar lines of the circular which is issued by respondent Nos.3 and 4. The said circular of Pune University states that from the academic year of 2021-2022 the University is allowing the students from legal course to give answer sheet in Marathi. The permissions were already there. It appears that the petitioner was not knowing about it. Therefore, it

cannot be stated that anybody has caused mental or physical harassment to him and, therefore, there is no question of award of any compensation to the petitioner.

6 We **dispose of** the Writ Petition by observing that the petitioner is at liberty to give the answers of his upcoming examination in Marathi.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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