

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.19066 OF 2024

Ravindra Shamuk Nannavare,]
R/of Bidgaon, Tal. Chopda, Dist. Jalgaon] .. **Petitioner**

Versus

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|--|---|-----------------------|
| 1. The State of Maharashtra, |] | |
| Through Social Justice & Special Assistance Dept. |] | |
| 2. Social Justice & Special Assistance Department, |] | |
| Through its Commissioner |] | |
| 3. University of Mumbai, Mumbai |] | |
| Through its Vice Chancellor |] | |
| 4. College of Social Work (Autonomous), |] | |
| Nirmala Niketan Institute, Mumbai |] | .. Respondents |

Mr. Kaustubh R. Gidh, Advocate for the Petitioner.

Smt. G.R. Raghuwanshi, Assistant Government Pleader for Respondent Nos.1 and 2.

Mr. Vikram N. Walawalkar, Advocate for Respondent No.3.

**CORAM : A.S. CHANDURKAR &
ARIF S. DOCTOR, JJ**

DATE : 24TH MARCH 2025.

ORAL JUDGMENT : { Per A.S. Chandurkar, J. }

1. Rule. Rule made returnable forthwith and heard learned counsel for the parties.

2. The petitioner appeared in Semester – VI of the Bachelor of Social Work – BSW Examination conducted by the University of Mumbai. His

results were declared on 27th July 2018 and he was awarded CGPA of 4.23. The petitioner sought improvement in the grade secured by him. In terms of the Circular dated 18th March 2021, such application for improvement of his grade could be made within a period of five years from passing the examination. The petitioner made such application on 2nd July 2023 to the College – respondent no.4. The College on 4th July 2023 informed the petitioner that it was not aware of the process for grade improvement since the petitioner had passed the examination five years ago. Since the petitioner's performance was not re-assessed, he has approached this Court.

3. We have heard the learned counsel for the parties and we have perused the documents on record. It is not in dispute that the petitioner's results for the Semester – VI were declared on 27th July 2018. In terms of Clause (6) of the Circular dated 18th March 2021, the application for improvement was made to the College on 2nd July 2023, which is prior to expiry of five years. It appears that the College did not forward that application to the University, as a result of which the petitioner's performance could not be assessed again. In these facts therefore we are of the view that the petitioner having applied for seeking improvement in his grade prior to expiry of five years, the University ought to consider the petitioner's application as made on 2nd July 2023.

4. Accordingly, following directions are issued :-

- (i) The respondent no.3 – University shall consider the petitioner's application dated 2nd July 2023 along with the present writ petition as an application seeking improvement in his CGPA grade. The respondent no.4 – College shall render necessary assistance to the University in that regard.
- (ii) The respondent no.3 - University shall consider the aforesaid request preferably by 10th April 2025 since the Semester – VI Examinations are to commence from 11th April 2025.
- (iii) Without prejudice to the consideration of the petitioner's application, he is permitted to fill-in his examination form along with late fees for the Semester – VI – Bachelor of Social Work course. His appearance at the said examination would be without prejudice to the exercise of re-assessment of his performance.

5. With aforesaid directions, the writ petition is partly allowed and disposed of. Parties to act on the authenticated copy of this order.

[ARIF S. DOCTOR, J.]

[A.S. CHANDURKAR, J.]