

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4602 OF 2025

Shamanand Nandramdas Bairagi,]
R/of Tapovan, Panchavati, Nashik] .. Petitioner

Versus

1. The State of Maharashtra,]
Through Education Department]
2. The Controller of Examinations,]
Savitribai Phule University, Pune]
3. The Director,]
Board of Examinations and Evaluation]
Department, Savitribai Phule Univeristy, Pune]
4. The Principal,]
Gokhale Education Society's H.P.T. Art &]
R.Y.K. Science College, Nashik] .. Respondents

Mr. Sachin D. Kadam, Advocate for the Petitioner.

Mr. Y.D. Patil, Assistant Government Pleader for Respondent No.1.

Mr. Rajendra Anabhule, Advocate for Respondent Nos.2 and 3.

Mr. V.S. Talkute, Advocate for Respondent No.4.

CORAM : A.S. CHANDURKAR &
M.M. SATHAYE, JJ

DATE : 7TH APRIL 2025.

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

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

2. The petitioner, a third year student pursuing the Bachelor of Arts

(B.A.) course with the Respondent no.4 – College affiliated to the Savitribai Phule University, Pune, has approached this Court being aggrieved by the communication dated 13th March 2025 issued by the University informing him that he was not eligible for filling-in form of the 5th Semester Examination in April – May 2025. Instead, he has been told to fill-in the said Form in October-November Session 2025.

3. We have perused the writ petition as well as documents filed along with it and heard the learned counsel for the parties. It is not in dispute that in the subject of “Introduction to Social Psychology”, the petitioner’s mark-sheet for the First Year Bachelor of Arts course indicated “14” marks. The same was however corrected to “28” marks and thus the petitioner had passed the said examination pursuant to re-evaluation. It appears that on account of some technical issues, the petitioner’s marks could not be communicated by the College to the University. It is for this reason that the University was of the view that the petitioner can appear only in October-November Session - 2025 on account of not clearing the subject of “Introduction to Social Psychology”.

4. The learned counsel appearing for the University does not dispute the corrected marks of the petitioner. It is only on account of technical reason that there was some delay in communicating the re-evaluated

marks secured by the petitioner. Since the petitioner has satisfied the necessary eligibility, he is entitled to appear for the 5th and 6th Semester Examination of the Three Year B.A. course in April-May 2025.

5. Accordingly, the writ petition is allowed in terms of prayer clause (b), which reads as under :

“(b) That this Hon’ble Court be pleased to pass appropriate writ, order or direction thereby directing the Respondent Nos.2, 3 and 4 to allow the Petitioner to fill in the examination form of 5th and 6th Semester of Final 3rd Year B.A. Course and further allow the Petitioner to appear for the said examination scheduled to be held from 11th April 2025 for 6th Semester and 5th May 2025 for 5th Semester of Final Year B.A. Course.”

6. Rule is made absolute in above terms. No costs. Parties to act on authenticated copy of this order.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]