

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6684 OF 2025

Khadeejah Shahabuddin Shaikh

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

.....

Mr. Amin Solkar a/w. Mr. Harshil Gandhi, Ms. Amna Khan, Ms. Muskan Memon i/b Ms. Farhana Shah for the Petitioner.

Mr. P. P. Kakade, Addl GP a/w. Mr. P. V. Nelson Rajan, AGP for Respondent Nos.1 & 4-State.

Mr. Nitin Dhumal for Respondent Nos.2 & 3.

CORAM : **M. S. KARNIK AND**
N. R. BORKAR, JJ.

DATED : **9th JUNE, 2025.**

P.C. :

1. Heard learned counsel for the petitioner and learned AGP for respondent Nos.1 and 4.

2. Without referring to the facts in detail, suffice it to state that the petitioner, a second year student of (Semester IV) in the Bachelor of Engineering (Information Technology) was rusticated by the impugned order dated 09.05.2025 issued by respondent No.3. The letter of rustication was issued in breach of the principles of natural justice. The petitioner was not heard before the letter dated 09.05.2025 was issued by the respondent No.3 which entails serious consequences. In this view of the matter, the impugned letter is required to be set aside. Liberty to

respondent No.3 to pass appropriate orders if it so desires after hearing the petitioner and upon complying with the principles of natural justice. The writ petition is, accordingly, allowed. The impugned letter dated 09.05.2025 is set aside.

3. So far as the relief for permitting the petitioner to appear for her practical and theoretical exams which she missed, a representation has already been made by the petitioner to respondent No.4 - Director, Board of Examinations and Evaluation, Savitribai Phule Pune University of Pune. It is open for respondent No.4 to take appropriate decision on the said representation on its own merits. We may not be understood to have made any observations on the merits of the representation. The representation be considered on merits and in accordance with law. Such Representation be decided expeditiously.

4. The writ petition stands disposed of. No order as to costs.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)