



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

WRIT PETITION NO.6876 OF 2025

Dhruv Bansal ..Petitioner
vs.
University of Mumbai and ors. ..Respondents

Adv. Sanskruti Yagnik, for the Petitioner.
Adv. Rui Rodrigues, for Respondent No.1.

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

DATE : 13th AUGUST, 2025

ORAL ORDER (PER M. S. KARNIK, J.) :

1. Before we refer to the facts in the present case, at the outset it is pertinent to note the directions issued by this Court in Writ Petition (L) No.30004 of 2024 in Rafi Mohammad Abdul Fathima vs. University of Mumbai and ors. to the University of Mumbai. The relevant portion of the order reads thus :-

“13. Before parting, we find it necessary to observe that the University issues circulars to ensure that the Colleges implement the directions contained in the University Circular issued every year laying down the process for enrollment and eligibility for that

Academic Year, including the constitution of an Admission Committee, which is tasked to carry out a verification exercise as detailed in the said Circular, prior to granting provisional admission to the students. We are of the firm view that the Colleges must scrupulously follow these instructions to avoid situations which seriously affect the students for no fault on their part.

14. While granting provisional admission to the students, the Admission Committee must verify the eligibility of the students in the context of the courses to which they seek admission as per the University Ordinances and Circulars issued from time to time. The College/s should submit the Eligibility forms along with the other necessary documents of the students admitted by it to the University of Mumbai, as per the schedule set out in the Circular issued by the University laying down the process for Enrollment and Eligibility every year, which is binding on the College/s. The submission of the same by the College/s shall in any event be not later than 2 months from the date of admission of the students, to enable the University to process the eligibility applications within 6 months thereafter, upon receipt of the eligibility forms and the other necessary documents from the college.

15. In the event the College fails to carry out the aforementioned verification exercise and/or to submit the Eligibility forms and the other necessary documents of the students admitted by it within the prescribed time frame, the University shall be at liberty to take necessary action against the erring College, including disaffiliation of such a College. In addition to the action at the end of the University, the College is also liable to be proceeded against by the aggrieved student for the academic loss caused thereby.

16. These directions were necessitated considering that most of the times, at the fag end of the course, the issue of eligibility is raised, seriously jeopardizing the academic prospects of the students. The students

undergoing the graduation/post graduation course should not suffer as a result of delay on the part of the University/ Colleges in deciding the question of eligibility. The University of Mumbai may do the needful to bring these directions to the notice of the Colleges affiliated to it."

2. The present is another case where despite the Petitioner not being eligible to be admitted to the three year B.Sc (Statistics) Course, Respondent No.2-College admitted the Petitioner to the course in June 2022. The Petitioner passed the 12th Standard examination in the Commerce faculty. In respect of the faculty of Science, the name of the course being Bachelor of Science (B.Sc.), the Petitioner was desirous for applying, the required documents along with provisional eligibility form prescribed was 12th pass in Science stream English subject compulsory. The Petitioner did not pass 12th in Science stream but from the Commerce stream and therefore was not eligible.

3. Mr. Rui Rodrigues has filed an affidavit on behalf of Respondent No.1-University pointing out the reason why the Petitioner was held not eligible for pursuing the degree course. The remark reads thus :-

"as per Ordinance No.0.2145, candidate for being eligible for admission to the F.Y.B.Sc. degree course shall have Passed 12th in Science, MCVC, HSC Vocational Stream in Paramedical & Agriculture Group."

4. Though the Petitioner was not eligible, the Petitioner was admitted for F.Y.B.Sc. Course and he completed as many as five semesters for which the results were declared. It was only when the Petitioner was in the sixth semester that the eligibility of the Petitioner was verified pursuant to a letter forwarded by the Respondent No.2-College on 13th December 2024. The University informed the College that the Petitioner was not eligible for pursuing the said degree course. We do not find any error in the approach of the University as the Petitioner was not eligible. Factually however, the Petitioner has been allowed to complete five semesters. The Petitioner has performed well in these five semesters. We are persuaded to allow the Petitioner to continue with the course only for the reason that the Petitioner's educational career should not suffer, as there is nothing on record to indicate that there is any misrepresentation on the part of the Petitioner. The fault, if

any, lies with the Respondent No.2-College. The Petitioner has now completed the sixth semester as well. It is submitted by learned counsel for the Petitioner that the Petitioner has now secured admission for M.Sc. The Petitioner's marksheet was released pursuant to the interim order of this Court and the Petitioner has been given admission offer letter for program M.Sc. Applied Statistics and Analytics, Batch 2025 in the NMIMS University.

5. We are therefore inclined to allow the Writ Petition as the Petitioner has completed the entire six semesters. We have already issued directions in Writ Petition (L) No.30004 of 2024 which shall be scrupulously followed by the Respondent No.2-College as well. In the facts of the present case we direct the Respondent No.2-College hereafter shall scrupulously follow the norms regarding the verification of the eligibility/non eligibility. Respondent No.2-College to pay costs of Rs.50,000/- to the University of Mumbai within a period of four weeks from today. The University to issue the migration certificate within a period of three weeks from today.

6. The Writ Petition is allowed in the aforesaid terms.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)