

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

WRIT PETITION NO.16724 OF 2025

Jennifer John

....Petitioner

Versus

Symbiosis International
(Deemed University) & Ors.

....Respondents

Ms. Subra Karmakar for the Petitioner.

Mr. Aditya Pimple a/w. Mr. Aakash Joshi, Mr. Ravi Bharadwaj,
Mr. Amarjit Prasad and Mr. Gaurav Kumar (through video
conferencing) for Respondent Nos.1 and 2.

CORAM : RAVINDRA V. GHUGE

&

ASHWIN D. BHOBE, JJ.

DATE : 11th DECEMBER, 2025

P.C. :-

1. We have heard the learned Advocate for the Petitioner
and the learned Advocate appearing for the Deemed University.

2. The dates and events tendered by the learned Advocate
for the Deemed University, are reproduced verbatim, as under :

LIST OF DATES

Sr. No.	Date	Event	Exhibit
1.	01.07.2025	The Class for Batch 2022-2027 for the Academic calendar for the academic year 2025-2026 commenced.	Exhibit B Pg: 23 Para 3/Pg.4 Petition

		<u>NOTE:</u> • As per Examination Rules of University, minimum aggregate 75% attendance is required for a student to be eligible to appear for Semester Examination. <i>[Para 13 (Reply)]</i> • If a student does not have aggregate 75% attendance, he/she is awarded Term Not Granted (<i>'TNG'</i>), meaning Student is not allowed to appear for regular semester examination but can appear as Backlog Examination in the same year so that her Academic Year is not wasted. <i>[Para 14 (Reply)]</i> • TNG is further divided in Court Granted or Course Not Granted. University may consider a student not having aggregate	
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		75% attendance, but possibly having more than 75% attendance in some subjects, he/she is allowed to appear for that subject. [Para 15 (Reply)] Petitioner's Attendance for 7th Semester has been an aggregate of only 52%. [Paras 15-16 (Reply)]	
2.	04.08.2025 11.08.2025 25.08.2025	Petitioner has attached medical certificates showing that she was suffering from chronic asthma with bronchitis. <u>NOTE:</u> - No such Medical Records were contemporaneously submitted by the Petitioner asking for relaxation from Attendance Rules. Exhibit D covers the gap period from 04.08.2025 to 08.08.2025, Exhibit E covers 11.08.2025 to	Exhibit D Pg: 25-26 Exhibit E Pg: 27-28 Exhibit F Pg: 29-30 Para 5/Pg.5 Petition

		14.08.2025, • Exhibit F covers 25.08.2025 to 29.08.2025.	
3.	18.09.2025	The Deputy Director of Respondent No. 2 issued an email addressing students to maintain at least 75% attendance up to 15.10.2025	Exhibit C Pg:24 Para 4/Pg.4
4.	14.10.2025	An email was sent by Respondents informing that due to low aggregate attendance, the Petitioner was placed in TNG/CNG, and informing her that she may appear before the Committee for Redressal of Concerns ('CRC') on 15.10.2025. <u>NOTE:</u> Petitioner did not appear before the CRC on 15.10.2025.	Exhibit G Pg: 31 Para 7/Pg.6
5.	15.10.2025	Petitioner did not attend CRC. Her parents sent her undertaking through a friend, who submitted it on her behalf to the Committee.	Para 9/Pg.7
6.	16.10.2025	Petitioner addressed an email claiming that on 12 th October	Exhibit I

		2025, she had collapsed due to health reasons and had to leave campus on 13th October 2025, because of which she was unable to appear before the CRC, and asking for consideration in regularising attendance for 13th, 14th and 15th October and 3rd October which she had missed due to Student Council Interviews. NOTE: Even on this date, Petitioner had indicated that her difficulty only for 4 days.	Pg: 33
7.	26.10.2025	The Petitioner emailed the 2nd Respondent explaining her medical condition and her inability to appear before the Committee in person.	Exhibit J Pg:34 Para 11/Pg.8
8.	27.10.2025	A Medical Certificate produced by Petitioner relating to the Petitioner's collapse due to Syncopal Attack on 12.10.2025, issued by Symbiosis Centre of Health Care (SCHC).	Exhibit H Pg: 32 Para 8/Pg.6
9.	27.10.25	The 2nd Respondent replied, asking the Petitioner to submit supporting medical documents	Exhibit K Pg: 35-36

		to substantiate her emergency.	Para 11/Pg.8
10.	03.11.25	The 2nd Respondent emailed the Petitioner informing her that she has been placed in CNG (Course Not Granted) for two subjects- Corporate Law Practice and Civil Law Practice. <u>NOTE:</u> • As an exception, Respondent permitted her to appear in 6 out of 8 Courses to be conducted between 10th November to 29th November 2025 as a one time humanitarian concession, where attendance was more than 50%, but where attendance was lower than 50%, she was granted CNG. <i>[Para 19 (Reply)]</i> • For 2 Subjects for which she was granted CNG, she could appear for backlog exams and would not miss the year. <i>[Para</i>	Exhibit L Pg: 37 Para 12/Pg.8

		<i>19 (Reply)]</i>	
11.	10.11.2025 — 29.11.2025	VII Semester BBA LL.B. examination were conducted. <u>NOTE:</u> Petitioner did not appear even for the 6 papers she was allowed to with no prior information/communication about her absence from the exams.	Exhibit M Pg: 38 Para 12/Pg.9
12.	07.11.2025 14.11.2025 25.11.2025	Petitioner has sought to produce Medical Certificates diagnosing Vertigo. <u>NOTE:</u> • There was no contemporaneous communication of these Medical Certificates seeking exemption from appearing for the 6 papers. • Exhibit N covers the period from 07.11.2025 to 14.11.2025 • Exhibit O covers 14.11.2025 to 24.11.2025 • Exhibit P covers 25.11.2025 to	Exhibit N Pg: 39-40 Exhibit O Pg: 41-42 Exhibit P Pg: 43-44 Para 13/Pg.10

		30.11.2025.	
13.	03.11.2025	Judgment passed by the Hon'ble Delhi High Court in Court on its Own Motion in Re: Suicide Committed by Sushant Kohilla, Law Student of I.P. University, W.P.(CRL) 793/2017. Directions with respect to Grievance Redressal Committees and Mandatory attendance were issued.	Para 14/Pg.10
14.	17.11.2025	The 1st Respondent University issued a Notice announcing re-examinations for Semester VII pursuant to the above judgment.	Exhibit Q Pg: 45 Para 14/Pg.10
15.	25.11.2025	The 2nd Respondent issued an email regarding the re-examinations and released the timetable for the same.	Exhibit R Pg: 46-49 Para 14/Pg.10
16.	27.11.2025	Petitioner addressed an email was the first time informing the Respondent No.2 that she could not appear for the 6 examinations she was allowed to because of medical reasons, and referring to the decision of the Hon'ble Delhi High Court and requesting to be permitted	Exhibit T Pg: 52-53 Para 15/Pg.11

		to appear in all 8 exams.	
17.	29.11.2025	2nd Respondent addressed an email noting that the Petitioner's attendance in Semester VII was significantly low, 2 nd Respondent had extended considerate relaxation and permitted to appear for 6 subjects retaining CNG for 2 subjects. However, that opportunity was also not availed off. Therefore, it was communicated that she would be allowed to appear for two CNG courses only.	Exhibit T Pg:53-54 Para 15/Pg.11
18.	10.12.2025 – 23.12.2025	Special Examinations are scheduled between 10/12/2025 to 23/12/2025 where for two Examinations Petitioner is entitled to appear. <u>NOTE:</u> Petitioner can still appear for the 6 papers of VII Semester as backlog papers and her year would not be wasted. <i>[Para 25 (Reply)]</i>	Exhibit S Pg: 50-51 Para 14/Pg.11

3. The learned Advocate appearing for the Deemed University, has also tendered an affidavit in reply dated 10th December, 2025. The same is taken on record.

4. The learned Advocate for the Petitioner does not dispute that though the Petitioner was called upon to appear before the Committee for Redressal of Concerns (CRC) on 15th October, 2025, she did not appear. Her parents sent a request through a friend, who submitted it to the Committee, stating that the Petitioner is not attending the CRC. No request was made for a deferred hearing. So also, when it came to appearing for the exams for 6 subjects, which the Institution had permitted the Petitioner to take, she voluntarily did not appear even in a single exam. 17 days after the exams, a medical certificate was produced from the Law School's Health Centre, stating that the Petitioner has vertigo.

5. Be that as it may, the Institution has volunteered to allow the Petitioner to appear for the two CNG (Course Not Granted) subjects in the Special Exams to be conducted tomorrow for the subjects Corporate Law Practice and Civil Law Practice. Arrangements would be made on an urgent basis to enable the Petitioner to appear for the said exams, which are scheduled on

16th December, 2025 and 17th December, 2025, along with a few other students for whom a Special Exam is being arranged, in the light of the recent order of the Delhi High Court dated 3rd November, 2025 passed in W.P. (CRL) No.793 of 2017, CRL. M.As. No.16639 of 2017 and 8850 of 2024 .

6. The learned Advocate for the Deemed University further submits that the University would render full cooperation to the Petitioner to enable her to appear for the remaining 6 subjects in the Backlog Exam in March/April 2026 and she would not lose any Academic Year. If the Petitioner passes in the said subjects, she would not lose a single Academic Semester or year.

7. The learned Advocate for the Petitioner submits that though the Petitioner may have failed earlier, she is a meritorious student.

8. Since the Petitioner's problem has been resolved with the cooperation of the Deemed University, which has shown magnanimity, **this Petition is disposed off, by consent.**

9. Since this order has been dictated in open Court, the parties will not wait for the order to be uploaded.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)