IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

55 WRIT PETITION NO. 13093 OF 2026

Santosh Babasaheb Thombare And Another

VERSUS

Dr. Babasaheb Ambedkar Marathwada University, Chh. Sambhajinagar And Others

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Mr. Patil Nivrutti Shivaji, Advocate for the Petitioner
Mr. S. S. Tope, Advocate for Respondent Nos.1 to 4

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CORAM : NITIN B. SURYAWANSHI &
ABASAHEB D. SHINDE, JJ.
DATE : 01st OCTOBER 2026

P. C. :-

1. Rule. Rule made returnable forthwith. With the consent of the parties, the Writ Petition is taken up for final hearing at the stage of admission.

2. By this Writ Petition, filed under Article 226 of the Constitution of India, the petitioner has put-forth the following prayers :

> *"B. By issuing appropriate writ of mandamus or order direction in the like nature, the respondent university may kindly be direct to accept the final research wok/thesis of the petitioners for completition of Ph.D Course.*
>
> *C. By issuing appropriate writ of mandamus or order or direction in the like nature, the respondent university may kindly be direct to extend the time to submit final research work/ thesis for the period of three months only to the petitioners.*
>
> *D. By issuing appropriate writ of mandamus or order or direction in the like nature, the notification/circular dated 26.12.2024 may kindly*

be quashed and set-aside up to petitioners."

3. Since there is no dispute about the factual matrix of this matter by both the sides, we do not propose to deal with the same elaborately. Suffice it to state that the petitioners, who are desirous of acquiring Ph.D. degree have submitted their applications for grant of registration on the respective dates. Respondent/University had extended the period for submission of the thesis from time to time and eventually, the last extension was granted up to 31.03.2025. Thereafter, since the respondent/University has refused to grant further extension as well as accept the theses of the petitioners, the petitioners have approached this Court.

4. Learned counsel for the petitioners submits that, since previously the respondent/ University had granted extension for submission of their theses to the petitioners, therefore as a last chance the University be directed to grant further extension of one (01) month to submit their theses. If this Court directs, the petitioners are ready and willing to deposit a fine/penalty with the respondent/University. He placed reliance on the decision of Coordinate Bench of this Court at Nagpur in the case of ***Roshan***

Mahadeorao Moon vs. Rashtrasant Tukdoji Maharaj Nagpur University in Writ Petition No.1077 of 2023 dated 10.11.2023 to contend that, in the case of similarly circumstanced students, this Court has directed the University to extend the time.

5. Per contra, learned counsel for the respondent/University would submit that, as per Ordinance No.193 of Respondent/University, the petitioners were expected to complete the research work and produce their draft theses within eight (08) years as stipulated by the University. Considering the dates of their registration, it could be seen that, even after almost 12 to 14 years the petitioners failed to submit their theses, therefore, the petitioners are not entitled for the relief as prayed for.

6. We have heard learned counsel for the petitioners, learned counsel appearing for the respondent/University and perused the record. No doubt, as per the Ordinance No.193, after completion of statutory period, the petitioners were expected to complete the research work and submit their theses within a reasonable period, however, fact remains that the respondent/University had extended the period for submission of thesis from time to time. This shows that the University itself

did not adhere to the time frame prescribed as per the Ordinance. Therefore, the question that arises for consideration before this Court is whether the petitioners are entitled for the relief of granting extension of time to submit their theses.

7. We find that the cases of the petitioners are squarely covered by the decision of this Court in the case of ***Roshan Mahadeorao Moon*** (supra), the relevant observations of which reads thus :

> *"5. The petitioner in his application dated 16.06.2022 sought to bring to the notice of the Vice Chancellor the aforesaid public notice dated 17.05.2022 and seek benefit thereof. The same has however not been taken into consideration in the communication dated 01.07.2022 on the premise that the application for extension of the period of registration ought to have been made by 09.12.2019 but the petitioner had made the same subsequently.*
>
> *The issue that requires consideration is if the University itself, did not abide by the time frame prescribed by Clause 9 of Direction No.29 of 2012 whether benefit in the facts of the present case of public notice dated 17.05.2022 issued by the University Grants Commission could be extended to the petitioner. It is no doubt true that the date of submission of the application form is to be considered as date of registration of its approval by the Research and Recognition Committee. However, as indicated above when the time frame prescribed therein was not be adhered to by the University, whether it was justified in insisting for such compliance from the petitioner. We find that in the facts of the present case, it would be necessary for the University to consider whether the benefit of the public notice dated 17.05.2022 issued by the University Grants Commission can be extended to the petitioner. This public notice was brought to the notice of the Vice Chancellor but the same has not been taken into consideration while refusing to extend the time to submit the thesis.*
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> *6. In aforesaid facts, we find that the petitioner's request for extension of time to submit the Ph. D. thesis requires re-consideration at the hands of the University in the light of the observations made hereinabove and after taking into*

consideration the public notice dated 17.05.2022 issued by the University Grants Commission. The said public notice itself rec examination on case-to-case basis and we are of the view that the petitioner's case also deserves examination in this context."

8. In view of the fact that the petitioners have dedicated almost 12 to 14 years of their lives in undertaking the work of research and are desirous of submitting their theses so as to obtain Ph.D. degrees within one (01) month, in the peculiar facts and circumstances of the case, by way of indulgence, we are inclined to grant one more opportunity to the petitioners to submit their theses. It is made clear that this decision shall not be treated as a precedent. We, therefore, pass the following order :

:: ORDER ::

i) Writ Petition is allowed.

ii) Subject to petitioners' depositing Rs.1,00,000/- (Rupees One Lakh Only) each with the respondent/University within one week, we direct respondent/University to grant extension of one (01) month to the petitioners for submission of their theses.

iii) Needless to state that if the petitioners failed to submit their theses within stipulated time, this order shall stand

revoked without further reference to this Court.

iv) Rule is made absolute in the above terms.

(ABASAHEB D. SHINDE, J.) (NITIN B. SURYAWANSHI, J.)