

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

WRIT PETITION NO. 12690 OF 2025

Manish Pandit Mhatre. ...Petitioner
Vs.
Shri Indrapal Baburao Chaughule
Law College & Ors. ...Respondents.

Mr. Ashish K. Upadhyay i/b. Mr. Roshan Bimalkant Jha, Advocate for
Petitioner.
Mr. Akshay R. Shinde a/w. Mr. Adi Rusi Jijina, Advocate for Respondent No.
1.
Smt. Pooja Patil, AGP for Respondent-State.

**CORAM : R. I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATED : 18th FEBRUARY, 2026

PC.:-

1. Rule. Rule made returnable forthwith. Heard finally by consent of the parties.
2. By this Writ Petition, the Petitioner is seeking directions to Respondent No. 2 - University of Mumbai to release Semester 10th Mark-Sheet and Degree Certificate after regularising and validating the admission of the Petitioner. Further, the Petitioner has sought for quashing and setting aside the Orders dated 7th December, 2021 and 9th February, 2023 (“impugned orders”) passed by the Respondent No. 3 - Admission

Regulatory Authority and Respondent No. 4 - Directorate of Higher Education respectively.

3. The brief facts are as under :

(a) The Petitioner is a student who had secured admission with the Respondent No. 1- Shri Indrapal Baburao Chaughule Law College (for short 'College') on 12th February, 2021 for 5 years B.A.LLB Course in the academic year 2020-2021. The Petitioner appeared and successfully cleared all the exams of 1st to 10th Semester of 5 years B.A.LLB and after which his Semester 10th final result had been declared as RPV (Provisional) by the Respondent No. 2.

(b) The Petitioner at the time of securing admission with the Respondent No. 1 College could not procure and submit the Caste Validity Certificate and Non-Creamy Layer Certificate due to the COVID Pandemic and non working of Government Offices.

(c) Petitioner states that due to delay in submission of Caste Validity Certificate and Non-Creamy Layer Certificate, the admission of the Petitioner was not approved by the impugned orders of Respondent Nos. 3 and 4.

(d) The Petitioner had applied for Caste Validity Certificate on 3rd March, 2022 and submitted the Caste Validity Certificate upon obtaining the same on 11th April, 2022.

- (e) The Review Application was filed by Respondent No. 1, which was rejected by the Respondent No. 3 on 26th September, 2022.
- (f) The Petitioner had cleared the 10th Semester Exam on 11th June, 2025 and result was declared as RPV (Provisional).
- (g) Accordingly, present Petition has been filed.

4. Mr. Ashish Upadhyay, learned Counsel for the Petitioner has submitted that a similar issue as in this Petition had arisen before this Court in another Writ Petition being Writ Petition No. 7994 of 2024 (*Nishigandha Deepak Patil v/s. Shree Indrapal Baburao Chaugule Law College, Bhiwandi, Dist. Thane & Ors.*). In that case also the Caste Validity Certificate and Non-Creamy Layer Certificate had not been submitted prior to the 'Cut off date' due to COVID Pandemic. By an order dated 25th November, 2024 the Division Bench of this Court had considered the Petitioner having already completed her 3 year LLB course. It was observed by the Division Bench that it is nobody's case that the Petitioner does not belong to OBC Category. Neither it is anybody's case that the Petitioner doesn't fall under the 'Non-Creamy Layer Category'. The documents to that effect had already been issued to the Petitioner which are not under challenge. The only issue is that the said two documents are not submitted by the Petitioner prior to the "cut-off date".

5. This Court in the said decision has considered that the Petitioner has secured admission in August 2020 and the pandemic period started from March 2020 and continued till February 2022. During the pandemic period the petitioner had submitted her documents. She was allowed to complete her three year L.L.B. Course, which she successfully completed, and only at the stage of issuance of hard copy of last semester i.e. 6th Semester, she had been intimated of her admission of L.L.B. Course as not approved. This Court had taken into consideration the peculiar facts of the case and in the interest of justice, had quashed and set aside the communication dated 8th December, 2021 issued by the Respondent No. 4 - Admission Regulating Authority and communication dated 9th February, 2023 issued by Respondent No. 5 - Directorate of Higher Education and the Petitioner was allowed to be issued her 6th Semester Mark-Sheet and Degree Certificate. Rule was accordingly made absolute.

6. The learned Counsel for the Petitioner submitted that in view of virtually identical facts, the present Petition be allowed.

7. Mr. Akshay Shinde, learned Counsel for the Respondent No.1-College submits that in view of the non-submission of the Caste Validity Certificate, the admission of the Petitioner had been rejected by Respondent Nos. 3 and 4 vide the Impugned Orders. However, in view of the decision of the

Division Bench of this Court dated 25th November, 2024 and considering the Pandemic period during which admission had been granted to the Petitioner, he has submitted to the orders of this Court.

8. We have considered the submissions and we find that the present Petition is covered by the decision of the Division Bench of this Court dated 25th November, 2024 in *Nishigandha Deepak Patil(supra)*. In the present case as well, the admission of the Petitioner had been secured during the pandemic period i.e. on 12th February, 2021. The pandemic period having commenced from March, 2020 and continued till February, 2022. During the pandemic period, the Petitioner had submitted documents which were available with the Petitioner. There had been delay in submission of the Caste Validity Certificate and Non-Creamy Layer Certificate i.e. beyond the ‘Cut off date’. The fact of the present Petitioner having completed 5 years B.A. LLB course and clearing 10th Semester exam on 11th June, 2025, inspite of which the Respondent No. 3 and the Respondent No. 4 by their Impugned Orders had not accepted her admission to the Respondent No. 1 – College. Further, it is nobody’s case that the Petitioner does not belong to the OBC category or falls under the “Non-Creamy Layer”. The documents issued to the Petitioner to that effect are not under challenge.

9. Taking into consideration the peculiar facts of this case as well as in

the interest of justice, the impugned communication Order dated 7th December, 2021 of the Respondent No.3 – Admission Regulating Authority and impugned communication Order dated 9th February, 2023 of the Respondent No. 4 – Directorate of Higher Education are quashed and set aside. The Petitioner shall be issued the 10th Semester Mark-Sheet and Degree Certificate by the Respondent No. 2 - University of Mumbai within a period of one week from uploading of this order.

10. The Writ Petition is accordingly disposed of with no order as to costs.

11. Parties to act on the authenticated copy of this Order.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]