

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 4034 OF 2026

IN

WRIT PETITION NO. 11651 OF 2025

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Dnyaneshwari Prakash Supekar .. Applicant

In the matter between:

Amit Sahadev Harale .. Petitioner

V/s.

The State of Maharashtra & Ors. .. Respondents

Mr. Siddhant Sawhney a/w Ms. Avanti Kher i/b Auris Legal for Applicant.

Dr. Uday Warunjikar a/w Mr. Hrishikesh N. for Petitioner.

Mr. P. P. Kakade, Addl. G. P a/w Ms. Mamta S. Srivastava, AGP a/w Mr. A. R. Deolekar, AGP for Respondent no. 1 – State.

Mr. Rajendra Anbhule for Respondent no. 2 (Pune University).

Mr. Arsh Misra for Respondent no. 23.

Mr. Rui Rodrigues for Respondent no. 26.

CORAM : R.I. CHAGLA AND
FARHAN P. DUBASH, JJ.

DATE : 11th JUNE 2026

P.C.:

1. The present Interim Application has been filed by the Applicant seeking a direction to Respondent no. 2 – Pune University to permit her to fill the examination form through the respective College

affiliated to Respondent no. 2 – Pune University and permit her to appear in the 6th Semester of 3rd Year of the Bachelor of Hotel Management and Catering Technology examination by extending the date for filling the form for the said examination.

2. Mr. Rajendra Anbhule, learned Counsel appears on behalf of Respondent no. 2 – Pune University, submits that paragraph nos. 11 and 12 of the order dated 11th November 2025 passed in Writ Petition No. 11651 of 2025 contemplate continuation of the “Carry On” system for the Academic Year 2025-2026 in cases where the benefit had already been extended to certain students. He further submits that subsequent orders have also been passed by Co-ordinate Benches of this Court, which have consistently permitted similarly situated students to appear for examinations, subject to the outcome of the main petition and other safeguards recorded therein.
3. In the present case, the Applicant had secured admission in August-2025, at a time when Circular No. 209 was operating and the benefit of the “Carry On” system had already been extended to certain categories of students. In that view of the matter, the exception contained in paragraph 12 of the said order dated 11th November 2025 would *prima facie* enure to the benefit of the present Applicant

as well. For the sake of convenience, the relevant portion of the said order is reproduced hereunder:

“12. For the reasons set out in our order dated 22nd September, 2025, and in light of the above facts, we find it appropriate to direct the State Government to communicate to all Universities that have continued the “Carry On” system for the academic year 2025-2026, that the said system shall not be implemented for that academic year, save and except, if the benefit has already been extended to some students. Needless to state, the academic performance/results of those students who have benefited from the said scheme for the academic year 2025-2026, de-hors the Circular dated 17th January, 2025 and the GR dated 10th February 2025, would be subject to the result of this Petition. No further benefit under the said Circular shall be extended to any student.”

4. There are also subsequent orders dated 27th April 2026 and 7th May 2026 and various other orders passed by this Court whereby similarly situated students who had cleared their backlog examinations after availing the benefit of the scheme and had thereafter pursued studies in the higher academic year were granted interim protection. Considering all these orders and considering that the larger issue concerning the validity and operation of the “Carry On” system pending adjudication before this Court, we are of the *prima facie* view that the Applicant deserves interim protection so as to avoid

academic prejudice at this stage. Hence, by way of an interim measure, Respondent no. 2 – Pune University is directed to accept the examination form of the Applicant for the 6th Semester of 3rd Year examination scheduled to be declared on 16th June 2026 pursuant to the notice dated 30th May 2026 and thereafter permit her to appear for the said examination. The rights and contentions of all parties are expressly kept open. The appearance of the Applicant in the said examination and the declaration of her result shall remain subject to the final outcome of Writ Petition No. 11651 of 2025 and the ultimate adjudication on the legality and applicability of the “Carry On” system.

5. The Applicant, on instructions, undertakes not to claim any equities on the basis of this order. It is further clarified that the benefit of this order is confined to the present Applicant.
6. The Interim Application is accordingly disposed of in terms of above order.

(FARHAN P DUBASH, J.)

(R.I. CHAGLA J.)

Shubham Gadhavepatil