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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.743 OF 2026

The South Indian Education Society & Anr. ...Petitioners

Versus

Union of India and anr. ...Respondents

Mr. Arvind Kothari with Ms. Nandini Menon, Mr. Nirav Shah, Mr. Anuj Jaiswal and Ms. Niharika Singh i/b. Little and Co. for the Petitioners.

Mr. Milind Deshmukh, for Respondent No.2.

CORAM : R.I. CHAGLA AND
ADVAIT M. SETHNA, JJ.
DATE : 26TH FEBRUARY, 2026.

ORDER :

1. Rule. Rule made returnable forthwith. Heard by consent of parties.

2. By this Writ Petition, the Petitioner is seeking a direction to the Chairman of Respondent No.2 – University Grants Commission (“UGC”) to comply with Regulation 6(4) of the UGC Regulations, 2023 and constitute the Expert Committee and refer the Petitioner’s case to such Expert Committee, within two weeks from the date of

the order of this Court. Further, directions have been sought in the present Writ Petition, but it is prayer Clause (a) referred to above which is pressed.

3. The Petitioner No.1 is a Society registered under the Societies Registration Act, 1860 on 21st April, 1932 and being deemed as a public charitable trust is therefore governed by Section 2(13) of the Maharashtra Public Trusts Act, 1950 and is also registered under the Maharashtra Public Trusts Act, 1950 on 22nd May, 1953. One of the objects of Petitioner No.1 is to establish, administer and manage universities, deemed to be Universities, cluster Universities, Centres of Learning, Centres of Higher Learning, Centres for excellence and research, Centres for languages, off centre campuses in India and globally and to frame rules, regulations, statutes, policies for the same.

4. The Petitioner No.2 has also been granted the status of an Empowered Autonomous College and is administered and managed by the Petitioner No.1 since 1960. The Petitioner No.2 is a partial grant-in-aid college, running several under graduate and post graduate programs and also offers several self-financing under graduate and post graduate programs. The Petitioner No.2 is

affiliated to the University of Mumbai and has been granted Autonomous Status for 10 years.

5. The Petitioner No.1 on considering the UGC Regulations, 2023 was of the considered opinion that Petitioner No.2 was eligible and had fulfilled all criteria stipulated under Regulation 4 and therefore resolved to apply to Respondent No.2 for declaring the Petitioner No.2 as a 'deemed to be university'.

6. The Petitioner No.1 accordingly applied to the University of Mumbai on 7th June, 2023 for issuance of an NoC to enable them to apply to the Respondent No.2 for granting the Petitioner No.2 a 'deemed to be University' status, since the same was one of the requirements under Regulation 6(2) (a) of the UGC Regulation, 2023. The Petitioner No.1 was issued an NoC by the University of Mumbai on 6th September, 2023.

7. The Petitioners in compliance of the procedure prescribed in Regulation 6(1) of UGC Regulations, 2023 applied for 'deemed to be University' declaration for the Petitioner No.2 through the official portal of the Respondent No.2 i.e. 'deemed.ugc.ac.in'

under the 'General Category'. The Petitioner No.1 had also paid necessary processing fees of Rs.20,00,000/- for the same on 4th October, 2023.

8. The Petitioners state that the dashboard of the application portal of UGC's Deemed to be University ('DBTU') notifies the Petitioner No.2 to be 'qualified'.

9. The Petitioners are aggrieved by the lack of response of the Respondents to their application for being granted 'deemed to be University' status. With regard to the grievance raised by the Petitioners, the PMOPG Portal closed the file on 26th April, 2024 with the remark 'file is under process'. An appeal was filed by the Petitioners on 1st May, 2024 since they were not satisfied by the response received on their application and which has been disposed on 24th May, 2025 by the Secretary of Respondent No.2 with the remarks "The Proposal is under Process' and that 'A duly constituted Committee will intended with stake holders and undertake a virtual visit of the campus shortly'.

10. The Petitioners have raised further grievance

highlighting the delay in processing the Petitioners' application for being granted 'deemed to be University' status.

11. Mr. Arvind Kothari, the learned Counsel for the Petitioners has submitted that under Regulation 6(4) of the UGC Regulations, 2023 it is mandatory for Respondent No.2 to refer the application of the Petitioner for examination by the Expert Committee.

12. Mr. Kothari has tendered the Minutes of the 593rd Meeting of the University Grants Commission held on 29th August, 2025 wherein paragraphs 2.08 and 2.09 reveal that an Expert Committee who had been constituted by the Chairman of Respondent No.2 - UGC had made reports on the application submitted for conferment of 'deemed to be University' under Distinct Category in the name of Maharshi Karve Art Culture and Design Institution for Women, and for Somaiya Deemed to be University. The said Minutes are taken on record and marked 'X' for identification.

13. Mr. Kothari has submitted that inspite of the Respondent No.2 – UGC having constituted an Expert Committee for the aforementioned Institutions for being conferred 'deemed to be

University' status, in the case of the Petitioner there is an abject failure on part of Respondent No.2 – UGC in constituting the Expert Committee for referring the application of the Petitioner under Regulation 6(4) of the UGC Regulations.

14. Mr. Kothari further submits that the Petitioners have also paid the requisite fees of Rs.20 lacs on 4th October, 2023 towards the application for 'deemed to be University' status for Petitioner No.2 through the official portal. Further, the dashboard of the application portal of UGC's deemed to be University ("DBTU") notifies the Petitioner No.2 to be qualified. In spite of this, the Respondent No.2 – UGC has failed to act upon the Petitioners' application till today.

15. Mr. Milind Deshmukh, the learned Counsel appearing for the Respondent states that the Expert Committee will be constituted and has sought time for constitution of the same.

16. We have considered the submissions of the Petitioners and we are of the view that the Respondent No.2 – UGC has failed to act under the UGC Regulations by appointing the Expert Committee in the Petitioners' case in spite of the fact that the Respondent No.2 – UGC has appointed the Expert Committee in other cases as borne out

from the Minutes of the 593rd Meeting of the University Grants Commission dated 29th August, 2025 marked 'X'.

17. The Petitioners' application cannot continue to remain unaddressed, particularly in view of the fact that, the Application had been made by the Petitioners way back on 4th October, 2023 by paying the requisite processing fees of Rs.20 lac.

18. In view thereof, we allow the present Writ Petition in terms of prayer Clause (a) by directing the Chairman of Respondent No.2 – UGC to comply with Regulation 6(4) of the UGC Regulations, 2023 and constitute the Expert Committee no later than a period of four weeks from today. The Petitioners' case shall be referred to such Expert Committee within a period of two weeks from constitution of the Expert Committee.

19. The Writ Petition is accordingly disposed of. There shall be no order as to costs.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA J.]