

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 5058 OF 2026

IN

WRIT PETITION NO. 6027 OF 2026

Aniruddha Gaurav Gursal & Anr.	..	Applicants
V/s.		
State of Maharashtra & Ors.	..	Respondents

WITH

WRIT PETITION NO. 6027 OF 2026

Aniruddha Gaurav Gursal & Anr.	..	Petitioners
V/s.		
State of Maharashtra & Ors.	..	Respondents

WITH

WRIT PETITION (ST) NO. 13566 OF 2026

Rushikesh Laxman Shinde & Anr.	..	Petitioners
V/s.		
State of Maharashtra & Ors.	..	Respondents

WITH

WRIT PETITION NO. 9161 OF 2026

Sharvari Santosh Chimankar	..	Petitioner
V/s.		
State of Maharashtra & Ors.	..	Respondents

WITH

INTERIM APPLICATION NO. 5274 OF 2026

IN

WRIT PETITION NO. 9161 OF 2026

Sharvari Santosh Chimankar	..	Applicant
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V/s.
State of Maharashtra & Ors. .. Respondents

WITH

WRIT PETITION NO. 6515 OF 2026

Aarish Shahid Khan .. Petitioner

V/s.
State of Maharashtra & Ors. .. Respondents

WITH

INTERIM APPLICATION NO. 5025 OF 2026

IN

WRIT PETITION NO. 6029 OF 2026

Neelkeshi Somendra Bose & Ors. .. Applicants

V/s.
State of Maharashtra & Ors. .. Respondents

WITH

INTERIM APPLICATION NO. 5102 OF 2026

IN

WRIT PETITION (ST) NO. 13112 OF 2026

Aarya Hemant Satbhai .. Applicant

V/s.
State of Maharashtra & Ors. .. Respondents

WITH

INTERIM APPLICATION NO. 5180 OF 2026

IN

WRIT PETITION NO. 6524 OF 2026

Vineet Vikramsinh Ghadage & Ors. .. Applicants

V/s.
State of Maharashtra & Ors. .. Respondents

WITH

INTERIM APPLICATION NO. 5178 OF 2026

IN

WRIT PETITION (ST) NO. 13500 OF 2026

Angeleena Balu Gavit & Ors. .. Applicants

V/s.

State of Maharashtra & Ors. .. Respondents

WITH

INTERIM APPLICATION NO. 5271 OF 2026

IN

WRIT PETITION (ST) NO. 13689 OF 2026

Raunak Siddharth Jadhav & Ors. .. Applicants

V/s.

State of Maharashtra & Ors. .. Respondents

WITH

INTERIM APPLICATION NO. 5279 OF 2026

IN

WRIT PETITION NO. 6523 OF 2026

Ayush S. Raj .. Applicant

V/s.

State of Maharashtra & Ors. .. Respondents

WITH

INTERIM APPLICATION NO. 5280 OF 2026

IN

WRIT PETITION NO. 6680 OF 2026

Nisarga Satish Khanderao .. Applicant

V/s.

State of Maharashtra & Ors. .. Respondents

WITH

INTERIM APPLICATION NO. 5281 OF 2026

IN

WRIT PETITION NO. 6522 OF 2026

Harshal Sanjay Haravane	..	Applicant
V/s.		
State of Maharashtra & Ors.	..	Respondents

WITH

INTERIM APPLICATION NO. 5254 OF 2026

IN

WRIT PETITION NO. 9100 OF 2026

Rushikesh R Kamble & Anr.	..	Applicants
V/s.		
State of Maharashtra & Ors.	..	Respondents

Mr. Amrut Joshi a/w Mr. Mohammed Khan, Mr. Ashraf A. Kapoor, Mr. Sumas Patel i/b One Legal, for Petitioner in WP/6515/2026.

Mr. Amit Icham a/w Mr. Chaitanya Purankar for Petitioner in WP/6522/2026.

Ms. Asmi Desai for Petitioner in WP/9100/2026, IA 5254/2026.

Dr. Uday Warunjikar a/w Mr. Parth Deshpande i/b Ms. Aishwarya Tuwar for Petitioner in WP/9161/2026, WP(ST)/13566/2026, WP(ST)/13112/2026, WP/6523/2026, WP/6680/2026, WP 6027/2026 (through VC).

Ms. Madhavi Ayyappan a/w Ms. Arushi Keniya i/b Talekar & Associates for Petitioner in IA 5025/2026 in WP/6029/2026.

Mr. Kunal Shirgire a/w Mr. Prakash Yedage i/b Mr. Vikas Kolekar for Petitioner in WP/6524/2026, WP(ST)/13500/2026, WP(ST)/13689/2026.

Mr. Shailendra Kanetkar a/w Mr. Pranay Kothari for Respondent no. 4 in IA/5058/2026, WP/6027/2026, WP(ST)/13566/2026, WP/9161/2026, WP(ST)/13112/2026, WP/6524/2026, WP/9100/2026, WP/6523/2026, WP/6522/2026, WP/6680/2026 and for Respondent no. 3 in WP/6029/2026, WP(ST)/13689/2026, WP(ST)/13500/2026, WP/6515/2026.

Mr. Rui Rodrigues for Respondent no. 3 in IA 5279/2026 in WP/6523/2026, IA/5281/2026 in WP/6522/2026 a/w IA/5280/2026 in WP/6680/2026.

Mr. Milind Deshmukh for Respondent no. 3 – UGC in IA(ST)/20042/2026 in WP(ST)/14743/2026.

Mr. Prasad Gajbhiye a/w Ms. Rutuja Joshi for Respondent no. 5 – BCI in WP/6522/2026, WP/9100/2026, WP/6029/2026, WP/6524/2026, WP/6027/2026, WP/9161/2026, WP/6523/2026, WP(ST)/13566/2026, WP/6680/2026, IA/5102/2026, IA/5180/2026, IA/5178/2026, for Respondent no. 4 – BCI in IA/5271/2026 and for Respondent no. 2 – BCI in WP/6515/2026.

Mr. O. A. Chandurkar, Additional GP a/w Mr. V. G. Badgujar, AGP for Respondent – State in WP/6027/2026, WP/9161/2026.

Mr. O. A. Chandurkar, Additional GP a/w Ms. Priyanka Chavan, AGP for Respondent – State in WP/6515/2026, WP(ST)/13566/2026.

Mr. Rajendra Anbhule for Respondent no. 2 – Pune University in IA/5058/2026, WP/6027/2026, WP(ST)/13566/2026, WP/9161/2026, IA/5274/2026, WP/6515/2026, IA/5025/2026, WP/6029/2026, IA/5102/2026, IA/5180/2026, IA/5178/2026, IA/5271/2026, IA/5281/2026 in WP/6522/2026, IA/5254/2026 in WP/9100/2026.

Mr. Shiraz Rustomjee, Senior Advocate as Amicus Curiae.

Mr. Sharad Bansal, Advocate as Amicus Curiae.

Mr. Sarvadnya Dixit, Mr. Anirudhha Gursal, Mr. Swaraj Gaikwad, Mr. Vineet Ghadage, Petitioners present.

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

RESERVED ON : 7th AUGUST 2026
PRONOUNCED ON : 10th AUGUST 2026

ORDER (Per Farhan P. Dubash, J.):

BACKGROUND:

1. The above Writ Petitions arise in the backdrop of the judgment dated 3rd November 2025 rendered by the Delhi High Court in ***Re: Courts on Its Own Motion in Re: Suicide Committed by Sushant Rohilla, Law Student of I.P. University***¹ ("***Sushant Rohilla***"). By the said judgment, inter alia, the Delhi High Court directed that no student enrolled in a recognised law college in India should be detained or prevented from appearing for examinations or from pursuing academic progression solely on account of shortage of attendance.
2. Following the said judgment, the Petitioners, who were pursuing their respective law courses during the academic session 2025–26, were prevented from appearing for their semester-end examinations on account of shortage of attendance. The Petitioners accordingly relied upon the judgment in ***Sushant Rohilla*** (supra) and approached this Court. In the said Writ Petitions, the Petitioners have also challenged the interpretation and application of Rule 12 of the Rules of Legal Education, 2008 ("***Legal Education Rules***") and Ordinances 68 and 70 prescribed by the Savitribai Phule Pune University ("***University***"), which deal, inter alia, with attendance requirements.

1 2025 SCC OnLine Del 7920

3. During the pendency of these Writ Petitions, the Hon'ble Supreme Court passed two orders. The first order was passed on 26th May 2026 in *SVKM's Narsee Monjee Institute of Management Studies v. Bar Council of India*², and the second, on 21st July 2026 in *Prakruthi Jain v. Bar Council of India*³ and connected matters. By its order dated 26th May 2026, the Division Bench of the Hon'ble Supreme Court stayed the effect and operation of paragraph 249 of the judgment in *Sushant Rohilla* (supra), albeit prospectively. By its subsequent order dated 21st July 2026, the Hon'ble Supreme Court granted, as a one-time measure, protection to students whose academic session was ongoing when the judgment in *Sushant Rohilla* (supra) was rendered, and directed that such students should not be detained or prevented from appearing for the final examinations for the said academic session.
4. In these circumstances, this Court is now called upon to consider the scope and effect of the judgment of the Delhi High Court in *Sushant Rohilla* (supra), having regard to the subsequent orders passed by the Hon'ble Supreme Court and their applicability to the Petitioners in the above Writ Petitions.

BRIEF FACTS:

5. The relevant facts necessary for consideration of the above Writ Petitions are set out hereunder:
- A. The above Writ Petitions arise out of a decision of the Respondent – ILS Law College ("*College*") preventing the Petitioners from appearing for their respective semester-end examinations during the

² in SLP (Criminal) No. 9450 of 2026

³ In Writ Petition (Civil) Nos. 31 of 2025 and other matters including SLP (Criminal) No. 9450 of 2026

academic year 2025–26 on account of shortage of attendance. The College is affiliated to the Respondent – Savitribai Phule Pune University (*“University”*).

- B. The above Writ Petitions concern approximately 41 students pursuing different years of the three-year and five-year law courses conducted by the College. The Petitioners are stated to have had a shortfall in attendance during the academic year with their attendance ranging between about 46% to 54.37%.
- C. The Petitioners are stated to have submitted their examination forms and paid the requisite examination fees. Although their ‘admit cards’ were generated on 25th April 2026, the College is stated to have withheld them on the ground that the Petitioners had failed to fulfil the minimum attendance requirement.
- D. The Petitioners thereafter submitted their representations seeking condonation of the shortage in their attendance and permission to appear for the Eighth Semester examinations. The University called upon the College to consider their case/s for condonation of attendance. Upon consideration, however, the College reiterated its initial decision and held the Petitioners were not entitled to appear for the examinations on account of shortfall in the prescribed minimum attendance. The Petitioners were accordingly constrained to approach this Court. Although the individual attendance percentages, the law courses and the years of study of the Petitioners differ, their grievance is common. The controversy, inter alia, arises from the interpretation

and application of the minimum attendance requirements prescribed under Ordinances 68 and 70 of the University.

- E. Prior to the institution of the above Writ Petitions, the Delhi High Court, by its judgment dated 3rd November 2025 in *Sushant Rohilla* (supra) had issued certain directions concerning the attendance requirements applicable to students pursuing legal education. In paragraph 249 of the said judgment, the Delhi High Court, inter alia, directed that, pending reconsideration of the attendance norms by the Bar Council of India, no student enrolled in a recognised law college, University or institution should be prevented from appearing for an examination, solely on account of shortage of attendance.
- F. When some of the above Writ Petitions initially came before this Court on 4th May 2026, after taking notice of the said judgment of the Delhi High Court, this Court permitted the Petitioners to appear for their semester-end examinations. It was, however, made clear that such orders were subject to further orders and the final outcome of the Writ Petitions. As further Writ Petitions raising a similar grievance came to be instituted, this Court passed successive interim orders, in terms similar to its initial order dated 4th May 2026, permitting the other Petitioners also to appear for their respective semester-end examinations.
- G. In some matters, however, interim relief was not granted to the Petitioners therein. The reasons for declining such relief are set out in the respective orders passed by this Court.

- H. Thereafter, on applications made by the Petitioners, this Court passed further orders directing that the results of the students who had been permitted to appear for the semester-end examinations pursuant to orders of this Court, to be declared. This Court also directed the marksheets to be issued to such Petitioners whilst also allowing them to secure admission to the succeeding academic year. These orders too were expressly made subject to further orders and the final outcome of the respective Writ Petitions.
- I. During the pendency of these proceedings, the Bar Council of India (“BCI”) is stated to have challenged the said judgment of the Delhi High Court in *Sushant Rohilla* (supra) before the Hon’ble Supreme Court.
- J. This resulted in the first order dated 26th May 2026 being passed by the Hon’ble Supreme Court in *SVKM’s Narsee Monjee Institute of Management Studies* (supra). In this order, the Division Bench of the Hon’ble Supreme Court stayed the effect and operation of paragraph 249 of the said judgment of the Delhi High Court in *Sushant Rohilla* (supra), and posted the matter for further consideration on 21st July 2026. The Hon’ble Supreme Court, however, expressly clarified that the stay would operate prospectively and that the pendency of the proceedings before it, would not prevent the High Courts from deciding the attendance-related matters pending before them, on their own merits.

- K. Thereafter, the subsequent order came to be passed by the Hon'ble Supreme Court on 21st July 2026. In this order, after taking note of the fact that six High Courts had taken a view contrary to that of the Delhi High Court in ***Sushant Rohilla*** (supra), the Supreme Court directed, as a one-time measure, that students whose academic session was ongoing when the judgment in ***Sushant Rohilla*** (supra) was rendered should not be detained or prevented from appearing for the final examinations of the said academic session. The Hon'ble Supreme Court further directed that students who had been unable to appear for the examinations, either wholly or partially, should be permitted to appear for a supplementary examination for such academic session.
- L. When the above Writ Petitions came up for hearing, this Court, having regard to the number of students affected, the recurring nature of the controversy and the two subsequent orders passed by the Supreme Court, considered it appropriate to appoint learned Amici Curiae to assist the Court. Accordingly, by order dated 3rd August 2026, Mr. Shiraz Rustomjee, learned Senior Advocate and Mr. Sharad Bansal, learned Advocate, both appearing in this Court were appointed as Amici Curae. The matters were thereafter posted for hearing on 7th August 2026.
- M. It is in the aforesaid backdrop that the above Writ Petitions have been placed before this Court for final consideration.

SUBMISSIONS ON BEHALF OF THE PETITIONERS:

6. Dr. Uday Warunjikar, Mr. Amit Icham, Ms. Asmi Desai, Ms. Madhavi Ayyappan, Mr. Amrut Joshi and Mr. Kunal Shirgire, learned Counsel appearing for the Petitioners/Applicants in the above Writ Petitions and Interim Applications, have advanced submissions on their behalf. Since the submissions advanced by them raise common issues and substantially overlap, the same are being summarized hereunder.
7. The Petitioners submit that, under the unamended Ordinance 68 of the University, a student was required to maintain a minimum attendance of 75%, while Ordinance 70 empowered the competent authority to condone shortage of attendance to the extent of 20%. It is therefore submitted that Ordinance 70 operated upon the requirement of 75% prescribed under the unamended Ordinance 68 and, upon such condonation, effectively reduced the minimum attendance requirement to 55%.
8. It is then submitted that Ordinance 68 was amended with effect from 15th March 2010. Under the amended Ordinance, in respect of courses regulated by an Apex Body, the minimum attendance prescribed by such Apex Body would apply. In the present case, which concerns legal education, Rule 12 of the Legal Education Rules framed by the BCI prescribes a minimum attendance requirement of 70%.
9. The Petitioners submit that Ordinance 70 was neither repealed nor rendered inapplicable by the amendment to Ordinance 68. According to them, therefore, the power to condone shortage of attendance to the extent of 20%

must operate upon the applicable minimum attendance requirement of 70% prescribed by the BCI. Consequently, it is submitted that the effective minimum attendance requirement for students pursuing legal education would be 50%, and not 55%.

10. The Petitioners submit that the stand taken by the University and the College proceeds upon an impermissible combination of the unamended and amended Ordinances. According to them, once the 70% minimum attendance requirement prescribed under the Legal Education Rules is accepted as applicable, the University and the College cannot revert to the erstwhile requirement of 75% while calculating the permissible condonation under Ordinance 70. The submission is that, upon the amended Ordinance 68 adopting the attendance requirement prescribed by the BCI, the 20% condonation contemplated under Ordinance 70 must necessarily operate upon that requirement, namely, 70% less 20%, resulting in an effective minimum attendance requirement of 50%.
11. The Petitioners then invite our attention to paragraph 249 of the judgment of the Delhi High Court in ***Sushant Rohilla*** (supra) and submit that, pending reconsideration of the attendance norms by the BCI, no student enrolled in any recognised law college, University or institution could be prevented from appearing for an examination solely on account of shortage of attendance.
12. It is submitted that all the Petitioners were pursuing their respective courses during the academic session 2025–26 when the judgment in ***Sushant Rohilla*** (supra) was rendered and that they proceeded on the bona fide belief that shortage of attendance would not, by itself, prevent them from appearing for

their respective examinations. The Petitioners rely upon the said judgment as also the orders subsequently passed by this Court, initially permitting the Petitioners to appear for the semester-end examinations and thereafter permitting declaration of their results and admission to the succeeding academic year 2026–27.

13. It is submitted that, in view of the order dated 21st July 2026 passed by the Hon’ble Supreme Court, the Petitioners would clearly fall within the protection granted by the said order. Learned Counsel draw our attention to the direction therein granting, as a one-time measure, protection to students from being detained or prevented from appearing for the final examinations of the relevant academic session, as also the further direction permitting students who had been unable to appear for the examinations, either wholly or partially, to appear for a supplementary examination for such academic session.
14. The Petitioners submit that the expression “*final examinations for the said academic session*” occurring in the order dated 21st July 2026 refers to the semester-end examinations conducted during the academic session 2025–26. It is contended that the one-time benefit granted by the Hon’ble Supreme Court cannot be confined only to students studying in the final semester or final year of their respective law courses. According to the Petitioners, the benefit extends to all students who were pursuing the three-year or five-year law courses during the academic year 2025–26, irrespective of the particular year or semester in which they were studying.

15. The Petitioners further submit that, in view of the order dated 21st July 2026 passed by the Hon'ble Supreme Court, the Petitioners cannot now be prevented from securing admission to the academic year 2026–27 merely on account of the shortfall in the minimum attendance requirement during the academic year 2025–26. It is submitted that, consequently, although the controversy concerning the interpretation and application of Ordinances 68 and 70 forms the basis of the present Writ Petitions, the said controversy may no longer require adjudication, insofar as the reliefs sought by the Petitioners concern the academic session 2025–26 and are governed by the subsequent order dated 21st July 2026 of the Hon'ble Supreme Court.
16. It is however submitted that some of the Petitioners were not granted interim relief by this Court and were consequently not permitted to appear for their semester-end examinations. Such Petitioners seek implementation of the order dated 21st July 2026 by the University and the College, including by conducting supplementary examinations for them and passing such further orders as may be necessary to enable them to secure admission to the current academic year 2026–27.

SUBMISSIONS ON BEHALF OF THE COLLEGE:

17. Mr. Shailendra Kanetkar, learned Counsel appearing on behalf of the College, opposes the reliefs sought by the Petitioners. He submits that the minimum attendance requirements applicable to students pursuing legal education are principally governed by Rule 12 of the Legal Education Rules, which requires a student to maintain 70% attendance in each subject. According to him, the limited relaxation contemplated under the said Rule is

available only where a student has attended at least 65% of the classes in the concerned subject and has maintained 70% attendance in all subjects taken together. He submits that none of the Petitioners satisfy these requirements and that they are, therefore, not entitled to any relief.

18. Mr. Kanetkar submits that, even after the judgment of the Delhi High Court in *Sushant Rohilla* (supra), the Petitioners were regularly informed of the applicable minimum attendance requirements as well as their respective attendance percentages. He submits that the submission of examination forms, payment of examination fees and automatic generation of admit cards do not confer any vested right upon the Petitioners to appear for the semester-end examinations, since their eligibility remained subject to fulfilment of the mandatory minimum attendance requirements.
19. Mr. Kanetkar further submits that, even assuming that Ordinances 68 and 70 apply, the Petitioners would not be entitled to condonation. He submits that Ordinance 68 prescribes a minimum attendance of 75%, while Ordinance 70 permits the Executive Council of the University to condone shortage of attendance to a maximum extent of 20% in cases of bona fide illness or other compelling circumstances beyond the control of the student. According to him, therefore, a student whose attendance is below 55% is not even eligible to seek condonation under Ordinance 70.
20. He points out that the medical certificates relied upon by some of the Petitioners were submitted belatedly and were not supported by contemporaneous medical records. In any event, he submits that such medical circumstances become relevant under Ordinance 70 only after the

student satisfies the minimum threshold of 55%, which, according to him, none of the Petitioners has satisfied. He therefore submits that none of the Petitioners is entitled to the reliefs sought.

21. As regards the order dated 21st July 2026 passed by the Hon'ble Supreme Court, Mr. Kanetkar disputes its applicability to the Petitioners. He submits that the said order does not confer an unrestricted benefit upon every student pursuing a law course during the academic year 2025–26. According to him, the one-time concession granted by the Hon'ble Supreme Court is attracted only in the case of students in the final year or final semester of their respective law courses, who faced the imminent consequence of losing an entire academic year by reason of being prevented from completing the course. He submits that the order dated 21st July 2026 cannot be construed as dispensing with the applicable minimum attendance requirements in respect of students pursuing law in every semester of the three-year and five-year law courses.
22. Mr. Kanetkar next submits that the benefit granted by the Hon'ble Supreme Court by its order dated 21st July 2026 is available only to those students who had acted on a bona fide belief, arising from the judgment in *Sushant Rohilla* (supra), that shortage of attendance would not prevent them from appearing for their examinations. He submits that such a bona fide belief cannot be attributed to students studying law in the State of Maharashtra, since this Court had, in several matters, including *Unnati Rawat v. The Principal/Management, Indian Law Society's Law College & Ors.*⁴, *Aman Jaiswal v. Vice Chancellor, NLU Nagpur*⁵, *Vinayak Krishna Thorat v.*

4 Order dated 17th January 2026 in W.P. No. 739 OF 2026
5 Order dated 28th November 2025 in W.P. 4727 of 2025

University of Mumbai, *Kushagra Vijay Agrawal v. Union of India & Ors.*⁷, declined to grant relief merely on the basis of the judgment in *Sushant Rohilla* (supra) and had applied the attendance requirements prescribed under the relevant University Ordinances and the Legal Education Rules.

23. Mr. Kanetkar further submits that the judgment of the Delhi High Court in *Sushant Rohilla* (supra) did not constitute a binding precedent upon this Court. In support of this submission, he relies upon the decision of this Court in *Commissioner of Income-Tax v. Thana Electricity Supply Ltd.*⁸ which holds that a decision of one High Court does not bind another High Court beyond its territorial jurisdiction and, at the highest, possesses persuasive value. Relying upon the said decision, Mr. Kanetkar submits that this Court, having previously applied the governing attendance requirements of the University and having declined to follow *Sushant Rohilla* (supra) in the aforesaid matters, ought not now to take a contrary view and extend the benefit of the order dated 21st July 2026 of the Hon'ble Supreme Court to all students pursuing legal education in the State of Maharashtra.
24. Lastly, Mr. Kanetkar points out that all interim orders passed in the above Writ Petitions permitting some of the Petitioners to appear for their examinations were expressly made subject to further orders and the final outcome of the Writ Petitions. He submits that such interim protection cannot create any vested right or equity in favour of the Petitioners. He submits that, at all material times, the College has acted in accordance with the Legal Education Rules, Ordinances 68 and 70 of the University and the orders

6 Order dated 17th February 2026 in W.P. (L) No. 5881 of 2026
7 Order dated 30th June 2026 in W.P. (L) No. 16225 of 2026
8 1993 SCC OnLine Bom 591

previously passed by this Court. He therefore submits that the above Writ Petitions deserve to be dismissed.

SUBMISSIONS ON BEHALF OF THE UNIVERSITY:

25. Mr. Rajendra Anbhule, learned Counsel appearing on behalf of the University, supports and adopts the submissions advanced by Mr. Kanetkar on behalf of the College and opposes the reliefs sought in the above Writ Petitions.

SUBMISSIONS OF THE AMICI CURIAE:

26. The submissions advanced by Mr. Shiraz Rustomjee, learned Senior Advocate, assisted by Mr. Sharad Bansal, learned Advocate, have been duly considered by this Court. Inasmuch as the said submissions find reflection in, and form part of, the analysis and reasons set out hereinafter, it is not considered necessary to separately record the submissions of the learned Amici Curiae under this heading.

ANALYSIS, REASONS AND FINDINGS

27. We have heard the learned Counsel appearing for the parties. We have considered the pleadings, the documents placed on record, the Legal Education Rules, Ordinances 68 and 70 of the University, the orders passed by this Court from time to time in the above Writ Petitions and the decisions relied upon by the parties. We have also had the benefit of a detailed note and compilation of authorities prepared by Mr. Sharad Bansal, learned Amicus Curiae, and the oral submissions advanced by Mr. Shiraz Rustomjee, learned Amicus Curiae.

28. At the outset, we find that the controversy does not stand on the same footing as it did when the above Writ Petitions were instituted. The principal controversy, at that stage, concerned the interpretation of Ordinances 68 and 70 of the University and, more particularly, whether the maximum condonation of 20% contemplated under Ordinance 70 was required to operate upon the minimum attendance requirement of 70% prescribed under Rule 12 of the Legal Education Rules or upon the requirement of 75% prescribed under Ordinance 68.
29. During the pendency of these Writ Petitions, however, the Hon'ble Supreme Court passed its order dated 21st July 2026. The Petitioners submit that the said order has materially altered the controversy and the manner in which these Writ Petitions are required to be considered. The College and the University, on the other hand, contend that the said order does not extend to all the Petitioners and that its benefit is confined to students studying in the final semester or final year of the three-year and five-year law courses. According to the College and the University, the remaining Petitioners continue to be governed by Rule 12 of the Legal Education Rules and Ordinances 68 and 70 of the University. In view of these rival submissions, it would be appropriate to first consider the effect and applicability of the order dated 21st July 2026 passed by the Hon'ble Supreme Court.
30. The judgment in ***Sushant Rohilla*** (supra) was rendered by the Delhi High Court on 3rd November 2025 in a suo motu writ petition. Paragraph 249 of the said judgment, inter alia, contained directions applicable to recognised law colleges, Universities and institutions across India, directing that students

should not be prevented from appearing for examinations or from progressing academically solely on account of shortage of attendance, pending reconsideration of the attendance norms by the Bar Council of India, which the said judgment had also recommended.

31. When the said judgment was brought before the Hon'ble Supreme Court, the Supreme Court, by its first order dated 26th May 2026, stayed the effect and operation of paragraph 249 thereof. The stay was, however, expressly made prospective. The Hon'ble Supreme Court further clarified that the pendency of the proceedings before it would not prevent the High Courts, before whom attendance-related matters were pending, from deciding such matters finally on their own merits.
32. On 21st July 2026, the Hon'ble Supreme Court passed its subsequent order after considering the peculiar situation which had arisen during the academic year 2025–26 on account of the judgment in ***Sushant Rohilla*** (supra), the prospective operation of the stay granted by its earlier order dated 26th May 2026 and the position adopted by the Bar Council of India. The said order must, therefore, be read as a whole and in the context of the circumstances which the Hon'ble Supreme Court was called upon to address.
33. In ***Thana Electricity Supply*** (supra), upon which the College itself has placed reliance, this Court reiterated the settled principle that a word or sentence in a judgment cannot be isolated from the context in which the question arose for consideration and treated as a complete exposition of the law. It is this principle which must guide our consideration of the order dated 21st July 2026.

34. Paragraphs 1 to 3 of the said order dated 21st July 2026 set out the background in which the matter arose. The Hon'ble Supreme Court notes therein that the directions issued in *Sushant Rohilla* (supra) concerned the attendance norms governing three-year and five-year law courses in India; that the Bar Council of India had communicated the said directions to institutions imparting legal education; and that, as a consequence, students had proceeded on the basis that shortage of attendance would not prevent them from appearing for examinations or progressing to the next semester. The reference to three-year and five-year law courses, coupled with the reference to institutions imparting legal education across India, is significant. Nothing in these paragraphs suggests that the situation being considered by the Hon'ble Supreme Court was confined to any particular University, State, law course, year of study or semester.
35. Paragraph 4 identifies the immediate circumstance which necessitated the order dated 21st July 2026. The Hon'ble Supreme Court records that, after the prospective stay granted by its order dated 26th May 2026, certain colleges and Universities prevented students having shortage of attendance from appearing for examinations of the ongoing academic year. This resulted in several applications being filed by students who asserted that a state of uncertainty had prevailed during the academic session 2025–26 and that they had entertained a legitimate expectation that they would not be detained solely on account of shortage of attendance. The focus of the Hon'ble Supreme Court was thus upon the ongoing academic session and the consequences which students faced in relation to examinations for that session, including the possible loss of the academic year.

36. Paragraph 6 is of particular significance. The Hon'ble Supreme Court expressly recorded the submission that six different High Courts had taken a view contrary to the judgment of the Delhi High Court and that, consequently, students could not be permitted to take advantage of the judgment in ***Sushant Rohilla*** (supra) and would have to face the lawful consequences of shortage of attendance. This is substantially the same objection which has been raised before us by the College, relying upon, inter alia, the decisions in ***Unnati Rawat*** (supra) and ***Kushagra Vijay Agrawal*** (supra). The Hon'ble Supreme Court was, therefore, conscious of the fact that the judgment in ***Sushant Rohilla*** (supra) had not been uniformly followed by the High Courts and that contrary views had already been taken by six High Courts. It was in this background, and after considering the submissions advanced before it, that the Hon'ble Supreme Court proceeded to issue the directions contained in paragraphs 7 and 8 of its order. For convenience, the said paragraphs are reproduced hereunder:

"6. He urged that 6 different High Courts have taken a view contrary to the one taken by the Delhi High Court (supra) on attendance norms and hence, the students cannot be allowed to take advantage of the Delhi High Court judgment and they have to face the lawful consequences on account of shortage of attendance.

7. Having considered the submissions advanced at the bar, we are of the considered view that as the judgment rendered by the Delhi High Court in November, 2025 diluted the attendance norms in the law colleges and as the directions contained in the said judgment were virtually accepted by the Bar Council of India, the students who acted under a bona fide belief that mere shortage of attendance would not be an impediment to their appearing in the examinations for the ongoing academic session are entitled to the benefit of doubt as a one-time measure only. Otherwise also, we may clarify that our stay order dated 26th May, 2026 categorically records that the effect thereof shall be prospective.

8. *Hence, we hereby direct and provide that the students whose academic session was ongoing when the judgment dated 3rd November, 2025 was rendered by the Delhi High Court, shall not be detained or prevented from appearing in the final examinations for the said academic session. The order dated 26th May, 2026 being prospective in its operation, the law students who are now facing an imminent consequence of loss of academic session on account of shortage of attendance shall not be prejudiced by the order passed by this Court and that they shall be permitted to appear in the final examination for the said academic session. In case the students have not been able to appear in the final examination either completely or partially, they shall be allowed to take the supplementary examination for this session only."*

37. Paragraph 7 records the reasons which persuaded the Hon'ble Supreme Court to grant a one-time protection. It records that the judgment in ***Sushant Rohilla*** (supra) had diluted the attendance norms and that the directions contained therein had been virtually accepted by the Bar Council of India. Against that background, the Hon'ble Supreme Court held that students who had acted under a bona fide belief that shortage of attendance would not impede their appearance in the examinations for the ongoing academic session were entitled to the benefit of doubt, as a one-time measure. The Hon'ble Supreme Court then used the expression "*Otherwise also*" and proceeded to record that its earlier order dated 26th May 2026 had expressly made the stay prospective.
38. Paragraph 8 thereafter gives effect to the conclusion reached in paragraph 7 and identifies the class of students to whom the protection is to extend. The operative direction is that students "*whose academic session was ongoing when the judgment dated 3rd November, 2025 was rendered by the Delhi High Court*" shall not be detained or prevented from appearing in the "*final examinations for the said academic session*". It further provides that, where

such students had not been able to appear in the final examination either completely or partially, they shall be permitted to take the supplementary examination “*for this session only*”. The language employed by the Hon’ble Supreme Court is thus directed to the academic session which was ongoing on 3rd November 2025 and to the examinations which concluded that academic session. The operative paragraph does not identify the year of study or semester of the law course as the criterion for determining eligibility.

39. Paragraphs 7 and 8 perform distinct but connected functions. Paragraph 7 sets out the circumstances and rationale for granting the one-time protection. Paragraph 8 identifies the class of students protected and specifies the relief to be afforded to them. The reference to a bona fide belief in paragraph 7 cannot, in our view, be divorced from the factual background recorded by the Hon’ble Supreme Court itself, namely, that the directions in ***Sushant Rohilla*** (supra) had nationwide application, had been communicated by the Bar Council of India and had resulted in students proceeding on the basis that shortage of attendance would not prevent them from appearing for examinations or progressing to the next semester.
40. The words “*Otherwise also*” in paragraph 7 are of equal significance. They demonstrate that the prospective operation of the stay granted on 26th May 2026 was an additional and independent consideration which weighed with the Hon’ble Supreme Court in granting protection to the concerned students. The protection, therefore, cannot be regarded as being dependent exclusively upon proof of actual and individual reliance upon the judgment in ***Sushant Rohilla*** (supra). To construe the order as requiring each student to establish

personal reliance upon the judgment would render the second and independent consideration expressly recorded by the Hon'ble Supreme Court substantially otiose.

41. In our considered view, paragraph 8 does not require each student to establish that he or she had personally read the judgment in ***Sushant Rohilla*** (supra), was aware of its precise legal effect or had consciously altered his or her conduct in reliance upon that judgment. The objective criteria identified by the Hon'ble Supreme Court are that the student's academic session was ongoing on 3rd November 2025 and that the student was facing detention or loss of that academic session on account of shortage of attendance. No further subjective test is prescribed in paragraph 8.
42. We are, therefore, unable to accept the submission that, before extending the one-time protection to the Petitioners, this Court is required to undertake an individual inquiry into the state of mind of each student. Apart from the practical difficulties that such an exercise would entail, it would have the effect of fragmenting the class of students identified by the Hon'ble Supreme Court by introducing an additional criterion which finds no place in paragraph 8 of its order. This Court cannot add to or subtract from the class of beneficiaries expressly identified by the Hon'ble Supreme Court.
43. This brings us to the principal interpretive objection raised by the College, namely, that the reference to "*final examination*" in paragraph 8 restricts the one-time protection to students pursuing the final year or final semester of the three-year or five-year law course. We are unable to accept this construction.

44. The expression “*final examination*” must be read in the context of the preceding discussion and, in particular, the reference to examinations for the “*ongoing academic session*”. Paragraph 8 itself repeatedly qualifies the examination by reference to “*the said academic session*” and thereafter refers to a supplementary examination “*for this session only*”. The order does not use the expressions “final-year students”, “final semester”, “final year examination” or “examination for completion of the law course”. To accept the construction advanced by the College would require us to introduce limitations which the Hon’ble Supreme Court has not incorporated in the operative direction.
45. The distinction is material. In the context in which it is used, the expression “*final examination*” describes the examination concluding the concerned academic session; it does not describe the terminal year or terminal semester of the student’s entire law course. The controlling words are those which connect the examination to the particular academic session which was ongoing on 3rd November 2025. The Petitioners before us were required to appear for the semester-end examinations relating to the academic session 2025–26, whether such examinations constituted the second, fourth or sixth semester of the three-year law course or the second, fourth, sixth, eighth or tenth semester of the five-year law course. In each case, the relevant semester-end examination was the concluding examination for that academic session.
46. The latter part of paragraph 8 reinforces this interpretation. The Hon’ble Supreme Court was concerned with students facing the imminent

consequence of loss of an “*academic session*”, and not merely with students facing the consequence of being unable to complete the entire law course. It further directed that a supplementary examination be provided “*for this session only*”. Every part of the operative direction is therefore connected with the academic session and not with the terminal year of the three-year or five-year law course. A student studying in an earlier year who is prevented from appearing for the semester-end examination may equally lose the academic session and, consequently, be unable to progress to the succeeding academic year. If the Hon’ble Supreme Court intended to protect only students in the final year or final semester of the law course, it could readily have said so. Instead, it adopted as the criterion the academic session which was ongoing on 3rd November 2025 and protected students facing the loss of that session. We are, therefore, unable to read into the order any year-wise or semester-wise restriction which the Hon’ble Supreme Court has not imposed.

47. The further submission of the College that students studying in Maharashtra could not have entertained the requisite bona fide belief because of the earlier decisions of this Court which had taken a view contrary to the judgment in ***Sushant Rohilla*** (supra), also cannot be accepted. As noted earlier, paragraph 6 of the order dated 21st July 2026 records precisely the objection founded upon the decisions of six High Courts which had taken a view contrary to ***Sushant Rohilla*** (supra). The Hon’ble Supreme Court was thus fully conscious of the existence of such contrary decisions. Nevertheless, after considering the said objection, it issued the direction contained in paragraph 8 without carving out an exception for students residing in or studying within the territorial jurisdiction of a High Court which had taken a contrary view.

48. The order dated 21st July 2026 neither confines its operation to students within the territorial jurisdiction of the Delhi High Court nor excludes students studying in States where the concerned High Court had taken a contrary view. Equally, it does not reserve to individual institutions the power to determine whether the one-time protection granted by the Hon'ble Supreme Court should be extended to their students. Once the Hon'ble Supreme Court has identified the protected class without any territorial qualification, we see no basis to introduce such a qualification in respect of students pursuing legal education in the State of Maharashtra. The submission of the College and the University in this regard must, therefore, be rejected.
49. Having reached the above conclusion, we find that the order dated 21st July 2026 of the Hon'ble Supreme Court applies to all the Petitioners before us, notwithstanding the shortfall in their attendance. It consequently follows that the controversy concerning the interpretation of Rule 12 of the Legal Education Rules and Ordinances 68 and 70 of the University does not arise for determination in these Writ Petitions. We therefore refrain from expressing any view on the said controversy and leave all questions in that regard, including the respective rights and contentions of the parties, open for consideration in an appropriate case.
50. We make it clear, however, that the relief granted by this judgment does not proceed on the basis that the judgment of the Delhi High Court in ***Sushant Rohilla*** (supra) constitutes a binding precedent upon this Court. The said judgment forms part of the factual and legal background which led to the subsequent orders passed by the Hon'ble Supreme Court. The relief granted

to the Petitioners flows from the order dated 21st July 2026 passed by the Hon'ble Supreme Court, which is binding upon this Court and upon the authorities and institutions concerned.

51. In this context, the reliance placed by the College upon the earlier decision of this Court in ***Unnati Rawat*** (supra), decided on 17th January 2026, is misplaced. That decision preceded the order dated 21st July 2026 passed by the Hon'ble Supreme Court and was rendered in the context of the legal position then obtaining. In any event, the facts of ***Unnati Rawat*** (supra) were materially different. The student therein had attendance of 45% and sought condonation on account of the medical condition of her father. This Court declined to apply ***Sushant Rohilla*** (supra) and held that the minimum condonable attendance was 55%, which was admittedly not satisfied in that case. The said decision, therefore, cannot govern the Petitioners before us in view of the subsequent binding order dated 21st July 2026.
52. The same is the position in ***Kushagra Vijay Agrawal*** (supra), which was decided by this very Bench on 30th June 2026. In that case, this Court considered the effect of the order dated 26th May 2026 of the Hon'ble Supreme Court, which had expressly left the High Courts at liberty to decide pending attendance matters on their own merits. Having regard to the facts obtaining in that matter, this Court declined to interfere with the decision of the College. The order dated 21st July 2026 had not been passed when ***Kushagra Vijay Agrawal*** (supra) was decided. The subsequent order is a material supervening development. By that order, the Hon'ble Supreme Court itself considered the practical consequences arising from the prospective operation of the earlier stay and granted an express one-time

protection to the class of students identified therein. We are, therefore, neither reviewing nor departing from our earlier decision in ***Kushagra Vijay Agrawal*** (supra). The relief granted in the present proceedings does not proceed upon a different interpretation of the order dated 26th May 2026. It proceeds upon the subsequent order dated 21st July 2026, which constitutes a binding and material supervening development governing the academic session 2025–26.

53. We are also unable to accept the reliance placed by the College upon ***Thana Electricity Supply*** (supra) for contending that the present Bench cannot take a view different from that taken by a coordinate Bench. There is no dispute with the principle that a Division Bench is bound by a decision of a coordinate Bench and, if it is unable to agree with such decision on a question of law, the appropriate course is to refer the matter to a larger Bench. That principle, however, operates where a subsequent Bench proposes to take a contrary view on the same question of law. In the present case, we do not take a contrary view to that taken in ***Unnati Rawat*** (supra) or ***Kushagra Vijay Agrawal*** (supra) on any question which those decisions determined. Neither decision considered, nor could it have considered, the subsequent order dated 21st July 2026 passed by the Hon'ble Supreme Court. Giving effect to a subsequent binding direction of the Hon'ble Supreme Court does not amount to overruling or departing from a decision of a coordinate Bench. Consequently, no question of reference to a larger Bench arises.
54. The other proposition relied upon by the College from ***Thana Electricity Supply*** (supra), namely, that a decision of one High Court is not binding

upon another High Court outside its territorial jurisdiction, is equally undisputed. However, as already clarified, the relief granted in these Writ Petitions does not rest upon treating ***Sushant Rohilla*** (supra) as a binding precedent upon this Court. It rests upon the subsequent order dated 21st July 2026 passed by the Hon'ble Supreme Court.

55. Before we apply the aforesaid interpretation to the Petitioners before us, we consider it necessary to deal with one further aspect arising from the reliance placed by the College upon the earlier decisions of this Court in ***Unnati Rawat*** (supra) and ***Kushagra Vijay Agrawal*** (supra). Both these matters had been finally decided prior to the order dated 21st July 2026 passed by the Hon'ble Supreme Court. The Petitioner in ***Unnati Rawat*** (supra) had approached this Court seeking permission to appear for the Semester-I examinations for the academic year 2025–26, and the Writ Petition was dismissed on merits on 17th January 2026. Likewise, ***Kushagra Vijay Agrawal*** (supra), concerning a student of the final semester of the B.B.A. LL.B. course, was finally decided on 30th June 2026, when this Court declined to interfere with the decision debarring the Petitioner from appearing for the Semester-X examinations on account of the applicable attendance requirements.
56. Insofar as the present Writ Petitions are concerned, the fact that such earlier proceedings had been finally decided does not alter our conclusion as to the meaning and scope of the subsequent order dated 21st July 2026. We are concerned in the present proceedings with Petitioners whose Writ Petitions were pending when the said order was passed. The question before us is whether those Petitioners fall within the class of students whom the Hon'ble

Supreme Court has directed should not be detained or prevented from appearing for the final examinations of the academic session which was ongoing on 3rd November 2025. For the reasons already set out above, we have answered that question in the affirmative.

57. The position of students whose proceedings had already culminated in final orders prior to 21st July 2026 stands on a different footing. The order dated 21st July 2026 is undoubtedly binding and must be given its full effect. However, we do not read the said order as expressly directing that judgments and orders which had attained finality prior thereto stand automatically recalled, reviewed or reopened. Nor does the said order prescribe any procedural mechanism by which a student whose Writ Petition had already been finally dismissed is to have such concluded proceedings reopened. We therefore consider it inappropriate, in the present proceedings, to pronounce upon the rights or remedies of the Petitioners in *Unnati Rawat* (supra) and *Kushagra Vijay Agrawal* (supra), or of any other student whose proceedings had already been finally concluded before 21st July 2026. Such a course would effectively amount to reopening concluded proceedings in the absence of the concerned student being before us and without the question of the appropriate procedural remedy arising for determination.
58. This, however, does not mean that the order dated 21st July 2026 can be disregarded in relation to a student merely because such student had earlier approached a Court. If a student whose proceedings were finally concluded prior to 21st July 2026 considers that the subsequent order of the Hon'ble Supreme Court confers upon him or her a benefit notwithstanding the earlier judgment, it would be open to such student to pursue such remedy as may be

available in law. The maintainability, scope and effect of any such remedy, including the effect of the finality attaching to the earlier judgment, are matters which would have to be considered in the proceedings, if and when instituted, having regard to the facts of the individual case. We make this clarification also because the order dated 21st July 2026 was passed in circumstances materially subsequent to the judgments in *Unnati Rawat* (supra) and *Kushagra Vijay Agrawal* (supra). The present judgment does not purport to review, recall or modify either of those judgments. Nor do we express any opinion as to whether the subsequent order dated 21st July 2026 would furnish a legally sustainable ground for reopening either of those concluded proceedings. Those questions are expressly left open. Subject to the above clarification, we now proceed to apply the order dated 21st July 2026 to the Petitioners before us.

59. We may now apply the above interpretation to the Petitioners before us. It is not disputed that the academic session 2025–26 was ongoing on 3rd November 2025, when the Delhi High Court rendered its judgment in *Sushant Rohilla* (supra). The present batch comprises approximately 41 students pursuing different years of the three-year and five-year law courses. Their attendance ranged between 46% and 54.37%, and they were prevented by the College from appearing for their respective semester-end examinations for the academic session 2025–26 solely on account of shortage of attendance. The Petitioners thus satisfy the objective requirements identified in paragraph 8 of the order dated 21st July 2026 of the Hon’ble Supreme Court. For the limited purpose of the one-time protection granted thereunder, the individual attendance percentages of the Petitioners are not determinative. The said order does not prescribe any minimum

attendance threshold for the protected class. It would, therefore, be impermissible for the College or the University, or for that matter this Court, to introduce a threshold of 50%, 55%, 65% or any other percentage when the Hon'ble Supreme Court has not done so.

60. We clarify that this conclusion does not dispense with any academic or examination requirement other than the requirement of attendance. The protection granted by the order dated 21st July 2026 extends only to students who were detained or prevented from appearing for their examinations solely on account of shortage of attendance. Thus, a student who was otherwise ineligible to appear for an examination, had not submitted the requisite examination form, had not paid the prescribed fees, was subject to disciplinary action or had failed to satisfy any independent academic requirement cannot claim immunity from such consequence merely by relying upon the order dated 21st July 2026.
61. The Petitioners who appeared for their examinations pursuant to the interim orders passed by this Court are entitled to have their results declared and their marksheets issued in accordance with their performance in such examinations. Where such Petitioners have successfully passed the examinations and have, pursuant to orders passed by this Court, been permitted to progress to the succeeding academic year, such academic progression cannot now be disturbed solely on account of the shortage of attendance which is covered by the one-time protection granted by the Hon'ble Supreme Court.

62. The Petitioners who were not granted interim relief, or who were otherwise unable to appear for their semester-end examinations, either wholly or partially, fall within the express remedial direction contained in paragraph 8 of the order dated 21st July 2026. They are consequently entitled to an opportunity to appear for a supplementary examination in respect of the subjects in which they were unable to appear. Such supplementary examination shall be treated as an examination pertaining to the academic session 2025–26. The Petitioners shall not be required to repeat the relevant semester merely on account of the attendance shortfall which is covered by the one-time protection granted by the Hon’ble Supreme Court.
63. Before concluding, we consider it necessary to clarify that the direction of the Hon’ble Supreme Court is expressed in terms of an objectively identified class of students and is not confined to those who had instituted proceedings before the Hon’ble Supreme Court or before any High Court. Thus, a student who satisfies the conditions identified in paragraph 8 of the order dated 21st July 2026 cannot be denied the benefit merely because such student did not independently approach a Court of law. The benefit of the said order must, therefore, extend to all other similarly situated students of the College who were prevented from appearing for the relevant semester-end examinations during the academic session 2025–26 solely on account of shortage of attendance, subject to the qualification recorded hereinabove in respect of proceedings which had already been finally concluded prior to 21st July 2026. Any other interpretation would result in a situation where the benefit of a measure expressly intended by the Hon’ble Supreme Court to address the consequences of the prevailing uncertainty would accrue only to those

students who had approached a Court of law. We do not consider that to be the intent of the order dated 21st July 2026.

64. We also clarify that the protection granted by the order dated 21st July 2026, and consequently by this judgment, is confined to the academic session 2025–26 and operates strictly as a one-time measure. Nothing contained in this judgment shall be construed as diluting Rule 12 of the Legal Education Rules or Ordinances 68 and 70 of the University in respect of any other academic session. Students pursuing legal education shall continue to remain bound by the attendance requirements otherwise applicable to them.
65. In view of the aforesaid reasons, we hold that the interim protection granted to the Petitioners who appeared for their examinations deserves to be confirmed. Consequential directions are required to be issued for declaration of their results, issuance of marksheets and preservation of their academic progression. The Petitioners who could not appear for their examinations, either wholly or partially, as also other similarly situated students falling within the protected class identified above, are required to be permitted to appear for a supplementary examination for the academic session 2025–26.

OPERATIVE PART OF THE ORDER:

66. The above Writ Petitions are accordingly disposed of in terms of the following order:

:: ORDER ::

- (a) The Petitioners herein, whose academic session was ongoing on 3rd November 2025 and who were prevented from appearing for the

semester-end examinations during the academic session 2025–26 solely on account of shortage of attendance, shall be entitled to the one-time protection granted by the Hon'ble Supreme Court by its order dated 21st July 2026.

- (b) The benefit of the aforesaid one-time protection shall also be extended to other similarly situated students of the College whose academic session was ongoing on 3rd November 2025 and who were prevented from appearing for the relevant examinations during the academic session 2025–26 solely on account of shortage of attendance, other than students in respect of whom proceedings concerning the same subject matter had already been finally concluded prior to 21st July 2026. The rights and remedies of such students are expressly left open in terms of paragraphs 55 to 58 above.
- (c) The University and the College shall, in coordination with each other, arrange and conduct a supplementary examination for such Petitioners and other similarly situated students of the College who were unable to appear for their semester-end examinations, either wholly or partially, during the academic session 2025–26 solely on account of shortage of attendance.
- (d) The supplementary examination shall be conducted as expeditiously as possible and, in any event, within a period of four weeks from the date on which this judgment is uploaded. The University and the College shall forthwith intimate all such students of the schedule of the supplementary examination and make available to them all

necessary particulars to enable them to prepare for and appear in the said examination.

- (e) Upon successfully clearing the requisite examinations, such students shall be eligible and entitled to secure admission to the succeeding academic year 2026–27, subject to the prevailing Ordinances of the University and the Rules and Regulations of the College applicable to such academic progression.
- (f) In respect of any Petitioner who has already successfully passed the semester-end examinations and has been permitted, pursuant to interim orders passed by this Court, to progress to the succeeding academic year 2026–27, such academic progression is hereby confirmed and shall not be disturbed solely on account of the shortage of attendance during the academic session 2025–26.
- (g) This order does not deal with the controversy concerning the interpretation of Rule 12 of the Legal Education Rules and Ordinances 68 and 70 of the University relating to the attendance issue raised in the above Writ Petitions and all questions in that regard, including the respective rights and contentions of the parties, are kept expressly open for consideration in an appropriate case.
- (h) The above Writ Petitions are accordingly disposed of in the aforesaid terms. All pending Interim Applications, if any, also stand disposed of.
- (i) There shall be no order as to costs.

ACKNOWLEDGMENT:

67. Before parting, we place on record our appreciation for the valuable assistance rendered by the learned Amici Curae, Mr. Shiraz Rustomjee, Senior Advocate and Mr. Sharad Bansal, Advocate. We are grateful for the able assistance rendered by them in the adjudication of the matter, especially within the short period of time that was made available to them.

(FARHAN P. DUBASH J.)

(R. I. CHAGLA J.)

68. After the order was pronounced in Court, Mr. Shailendra Kanetkar, learned Counsel who appears on behalf of the College seeks stay of the said order. However, considering the issues decided in the present order, stay is declined.

(FARHAN P. DUBASH J.)

(R. I. CHAGLA J.)

Shubham Gadhavepatil