

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

WRIT PETITION NO. 2669 OF 2026

Mahila College Of Education Malgaon And Anr	...Petitioners
Versus	
The Union Of India Throu. Its Principal Sec. Ministry Of Education And Ors.	...Respondents

Adv. Rajiv Patil, Senior Counsel, a/w Sameer Singh, for the Petitioners.
 Adv. P. G. Sawant, AGP for State Respondent Nos. 3 and 4.
 Adv. Swapnil Shanbhag, a/w Gargi Warunjikar, for Respondent No. 1.
 Adv. Disha Vardhan, Adv. Prajakta Shinde, for Respondent Nos. 5 & 6.

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

DATED : 7TH MARCH, 2026

P.C.:-

1. This writ petition has been moved on the ground of urgency. It is submitted that 55 students of Petitioner No. 1 – Institution have filled their examination forms, but the same have not been accepted by Respondent Nos. 5 and 6 on the ground taken in the affidavit in reply filed by Respondent Nos. 5 and 6, wherein it is stated that the certificate of affiliation issued in favour of the Petitioner No. 1 – Institution is fabricated by the Petitioners and that the affiliation of Petitioner No. 1 – Institution has not been continued. Accordingly, ad-interim relief has been sought directing the Respondent Nos. 5 and 6 to allow the said 55 students of

Petitioner No. 1 – Institution to submit their examination forms and to issue hall tickets to enable them to appear for the First Semester of B.Ed. examination for the academic year 2025–26 commencing from 10 March 2026, and to declare the result subject to the final outcome of the present petition. There are also alternate prayers sought.

2. There is an earlier petition which had been filed by Petitioner No. 1 – Institution. Writ Petition (St.) No. 24130 of 2025 came up before a Division Bench of this Court on 25 July 2025. On that date, the Division Bench had considered a similar opposition raised by Respondent Nos. 5 and 6 – University, viz. that the certificate of affiliation issued in favour of Petitioner No. 1 – Institution is fabricated by the Petitioners. The Division Bench of this Court had considered the plight of 42 students who had been allotted to Petitioner No. 1 – Institution through the State Common Entrance Test cell for the academic year 2024–25, and whose examination was scheduled to commence on 29 July 2025. The Division Bench of this Court had opined that these 42 students should be allowed to appear for the examination, as they should not be made to suffer, particularly in view of their admission in Petitioner No. 1 – Institution. Accordingly, the Division Bench had directed Respondent Nos. 5 and 6 to open the online portal to enable 42 students to appear for the examination, with a direction that the results shall not be declared.

3. We are inclined, in view of the similar factual position arising in the

present writ petition, to pass a similar order as has been passed by the Division Bench of this Court on 25 July 2025.

4. In the present case as well, the 55 students who have been admitted in Petitioner No. 1 – Institution are unable to appear for the First Semester B.Ed. examination for the academic year 2025–2026, which is scheduled to commence from 10 March 2026.

5. We have considered the objection raised by the learned counsel appearing for Respondent Nos. 5 and 6 – University, who has placed reliance upon the affidavit in reply filed on behalf of Respondent Nos. 5 and 6, in particularly paragraphs 15 and 17 thereof.

6. The issue regarding the affiliation of Petitioner No. 1 – Institution with Respondent Nos. 5 and 6 – University, which has been raised, can be kept open to be determined at the hearing of the petition. However, in view of the plight of the 55 students of Petitioner No. 1 – Institution, it would be appropriate that ad-interim relief is granted in the peculiar circumstances of the present case.

7. We accordingly grant ad-interim relief in terms of prayer clause (D) of the petition, as modified hereinbelow: -

Respondent Nos. 5 and 6 shall open the online portal to enable the said 55 students to submit their examination forms, issue hall tickets to them, and permit them to appear for the First Semester B.Ed. examination for the

academic year 2025–26 commencing from 10 March 2026. However, the results shall not be declared until further orders. This ad-interim order is also made subject to the final outcome of the present writ petition.

8. The writ petition shall be placed for further consideration on 1 April 2026.
9. The parties shall act on an authenticated copy of this order.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]