

Kavita S.J.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4777 OF 2026

Omkar Zumber Lokhande

...Petitioner

Versus

Savitribai Phule Pune University & Ors.

...Respondents

Mr. Harshvardhan Melanta a/w Mr. Mayur Suhas Garud, Ms. Chandrika Nerurkar, Ms. Sejal Pandaya and Ms. Sapna Sharma i/by Sapna Sharma for the Petitioner.

Mr. S.S. Kanetkar for the Respondent No. 4.

Mr. Abhijeet Naik for the Respondent Nos. 5 and 6 – State.

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

DATED : 10th APRIL, 2026.

ORDER :

1. Mr. Melanta, learned Counsel for the Petitioner states that the Respondents have been served and Affidavit of Service to that effect shall be filed prior to the next date.

2. By this Writ Petition, the Petitioner is seeking direction to Respondent No.4 - College to permit the Petitioner to appear for the

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4th Semester Examination and to process and declare his result without being affected by the alleged shortage of attendance. There are other prayers but for the purpose of ad-interim relief which has been sought for by the Petitioner, we confine ourselves to this prayer.

3. The urgency for moving the matter as stated by the Petitioner is that as per Schedule of Respondent No.4 – College the last date of filling up of the examination forms for the 4th Semester examination is tomorrow.

4. The learned Counsel for the Petitioner has taken this Court through the correspondence addressed between the Petitioner, Registrar (Personnel) and the Respondent No.4 – College. The Petitioner was in a judicial internship with this Hon'ble Court and for which communication dated 17th March, 2026 had been addressed by the Registrar (Personnel) for dispensing with the attendance of the Petitioner in the Respondent No. 4 – College for its duration. There appears to be no response from the Respondent No.4 – College in this regard.

5. Mr. Kanetkar, learned Counsel appearing for Respondent No.4 – College has referred to a Letter dated 25th March, 2026

addressed by the Registrar (Personnel) to the Respondent No.4 – College whereby the said Communication dated 17th March, 2026 had been withdrawn. By the said communication, the Registrar (Personnel) had stated that the entire duration of the judicial internship i.e. 5th December, 2025 to 24th March, 2026 shall be treated as academic attendance and the Petitioner shall not be deprived of any benefits linked to academic credits, including scholarships or any other entitlements, on account of his engagement in judicial training during the aforesaid period.

6. Mr. Melanta would state that he is unaware of the fact that the Letter dated 25th March, 2026 had been addressed by the Registrar (Personnel) to the Respondent No.4 – College.

7. Mr. Melanta has relied upon the Judgment of Division Bench of the Delhi High Court in ***Court on its Own Motion in Re: Suicide Committed by Sushant Rohilla, Law Student of I.P University***,¹ The said Judgment of Delhi High Court has been referred to and relied upon in our Order dated 17th February, 2026 passed in Writ Petition (L) No.5881 of 2026 in Vinayak Krishna Thorat Vs. University of Mumbai & Anr. In our order we had in the

¹ 2025 SCC OnLine 7920

facts of that case granted interim relief permitting the Petitioner to appear for Semester-I examinations. We have relied upon the view taken by the Delhi High Court that no student enrolled in any recognized law college, University or institution in India shall be detained from taking examination or be prevented from further academic pursuits or career progression on the ground of lack of minimum attendance.

8. We refer to the order of this Court dated 17th January, 2026 passed in Writ Petition No.739 of 2026, where the same College viz. ILS Law College, Pune (Respondent No.4 herein) was a party Respondent. We had observed therein that clauses 68 and 70 of the Ordinances makes it clear that Executive Council of the University is empowered to condone the deficiency in attendance provided that the student has attended at least 55% of the lectures in the whole year. The Petitioner in that case had only 45% attendance and falling short of the minimum requirement of 55% attendance, which deficiency as held could not have been condoned by the Executive Council. Further, it was observed that the relief sought by the Petitioner, if granted, would water down the mandate under such Ordinance of the University of Pune which makes it clear that such

deficiency in attendance beyond 20% cannot be condoned.

9. We note that Respondent No.1 – Savitribai Phule Pune University in this Petition, has not made an appearance today. We also observe that the percentage of attendance of the Petitioner as per the impugned list titled “Whose Examination Forms are Withdrawn For Non Complying With Attendance Requirement” is 3% only.

10. There is also a Letter dated 24th March, 2026 which has been addressed by the Registrar (Personnel) to the Petitioner wherein he has been informed that his judicial internship with this Court is being withdrawn with immediate effect.

11. Although by the Letter dated 17th March, 2026 addressed by the Registrar (Personnel) to the Respondent No.4 – College, referred to above, the period of judicial internship i.e. from 5th December, 2025 to 4th April, 2026 was directed to be treated as the period of attendance, we are unaware as to the reason for issuance of said Letter dated 24th March 2026, by the Registrar (Personnel) withdrawing that letter.

12. We are mindful of the law laid down by the Delhi High Court in the aforementioned Judgment which has also been relied upon by us that no student enrolled in any recognized law college, University or institution in India can be detained from taking examination or be prevented from further academic pursuits or career progression on the ground of lack of minimum attendance. Further, that the Students shall be permitted to take semester examination, however, in the final result for the semester, the grade of the student would be permitted to be reduced by a maximum of 5%.

13. We consider it appropriate, prior to granting any ad-interim / interim relief to hear the other Respondents including Respondent No.1 – Savitribai Phule Pune University and the Registrar (Personnel) who has been joined as Respondent No.3.

14. We accordingly stand over the Writ Petition for further consideration to 16th April 2026, to be shown on the Supplementary Board.

15. In view of the last date for submission of filling up examination forms being tomorrow, as informed by the Petitioner,

this date is extended for the Petitioner to 17th April, 2026, in the peculiar facts and circumstances of the present case.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA J.]