

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

**INTERIM APPLICATION NO.3854 OF 2026
IN
WRIT PETITION NO.11651 OF 2025**

Akash Devidas Walke and Ors. Applicants

IN THE MATTER BETWEEN :-

Amit Sahadev Harale Petitioner

Vs.

The State of Maharashtra and Ors. Respondents

Mr. Sohan Gunjal (through VC), for the Applicants.

Mr. Hrishikesh Nabar i/b. Dr. Uday Warunjikar (through VC), for the Petitioner.

Mr. P.P. Kakade, Addl.G.P. a/w. Shri. A.R. Deolekar, AGP for the Respondent No.1 – State.

Mr. Rajendra Anbhule (through VC), for Respondent No.2 – Pune University.

Mr. Rui Rodrigues, for Respondent No.26.

**CORAM : SHYAM C. CHANDAK AND
FARHAN P. DUBASH, JJ.**

**DATED : 5th JUNE, 2026
(VACATION COURT)**

P.C. :-

- 1) Issue notice to the Respondents, returnable on 12th June, 2026.
- 2) Mr. Kakade, learned Addl. GP, Mr. Anbhule and Mr. Rui Rodrigues, learned Counsel waives notice on behalf of Respondent Nos.1, 2 and 26, respectively.
- 3) The Applicants to provide copies of the Interim Application to the Registry during the course of the day.
- 4) Mr. Gunjal, learned Counsel for the Applicants, at the outset,

not pressed the aforesaid Application to the extent of Applicant Nos.1 and 5.

5) Hence, the Application stands disposed of as not pressed to the extent of Applicant Nos.1 and 5.

6) Mr. Gunjal, learned Counsel for the Applicants submitted that except Applicant Nos.1 and 5 other Applicants have cleared the respective backlog subjects of the Bachelor of Architecture. Because of the backlog subjects, the Applicants have been provisionally admitted to 3rd, 4th and 5th year of Bachelor of Architecture as per the “carry on” system provided in Circular No.209 of 2025 issued by Respondent No.2. They have completed their respective 3rd and 4th year by securing the required credit. Therefore, in view of the Order dated 11th November 2025, in WP No.11651 of 2025, the Applicants/ Intervenor are entitled to fill in the Application form and appear for the examinations of 3rd, 4th and 5th year of Bachelor of Architecture.

7) The Circular No.209 of 2025 indicate that special opportunities have been extended to those students who have failed in the first year in both the semesters of October-November, 2024 and April-May, 2025 and they would be promoted to the third year's first semester. Similarly, those who have failed in the second year would be promoted to the first (7th) semester of the fourth year and the same would apply to students who fail in the third year, would be granted provisional admission to the first (9th) semester of the fifth year. Therefore, and considering the submissions made by the learned counsel appearing for the Applicants/Intervenors, the Order

dated 11th November, 2025 in WP No. 11651 of 2025 as well as the said Order dated 18th May 2026, the Applicants/Intervenors deserve to get an interim protection so as to avoid academic prejudice at this stage.

8) In the wake of above, by way of an interim measure, Savitribai Phule University is directed to accept the application form of the Applicants/Intervenors for the relevant semester examinations of the third/fourth/fifth year, as the case may be, scheduled on 03rd June 2026 and onwards and permit them to appear for the said examination including practice examination/s, in any.

8.1) The rights and contention of the parties are explicitly kept open.

8.2) The appearance of the Applicants/Intervenors in the examination/s including the practical examination and the declaration of their results, shall remain subject to the Orders dated 22nd September 2025, 11th November, 2025 and the final outcome of Writ Petition No.11651 of 2025 and the ultimate adjudication of the legality and applicability of the “Carry On” system.

8.3) The aforesaid permissions is subject to the Savitribai Phule University being satisfied that the Applicants/Intervenors have cleared the backlog of the first/second/third year examinations, as the case may be.

8.4) The said University and/or the respective colleges shall verify the mark-sheets and the eligibility credentials of the Applicants/Intervenors forthwith/before the examination where it is possible and in due course, so as to ensure that only eligible students are able to appear for the

examinations scheduled from 03rd June 2026 and onwards and avail the benefit of this interim protection.

8.5) The Applicants/Intervenors, on instructions, undertake not to claim any equities on the basis of this Order. It is made clear that the benefit of this Order is restricted to the present Interim Applications.

9) Let the Interim Application be placed for further Orders on 12th June, 2026 alongwith Writ Petition No.11651 of 2025.

(FARHAN P. DUBASH, J.)

(SHYAM C. CHANDAK, J.)