

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 16225 OF 2026**

Kushagra Vijay Agrawal

...Petitioner

Versus

Union of India Th. Ministry Of Education
and Social Welfare & Ors.

...Respondents

AND

WRIT PETITION (L) NO. 16243 OF 2026

Abhinav Ashutosh Dankh

...Petitioner

Versus

Union Of India Through Ministry of
Education and Social Welfare & Ors.

...Respondents

Ms. Kajal Solanki i/by Shamyra Legal for the Petitioner.
Mr. Girish Godbole, Senior Advocate a/w Manorama Mohanty and Malika
M. i/by S. K. Srivastav & Co. for Respondent Nos.2 & 3.

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

DATED : 05TH MAY, 2026

PC.:-

1. We have heard the learned counsel for the parties, as well as considered that by our order dated 30 April 2026 in similar factual situation concerning the Respondent No.3-college which is affiliated to the NMIMS, we had passed an order dated 30 April 2026 in Writ Petition (L) 15489 of 2026, directing NMIMS to forthwith constitute a committee and for the

Petitioner to make a representation before the committee. This was in line with Regulation 3.2.6 of NMIMS.

2. We have now been informed by Mr. Godbole, learned senior counsel appearing for the Petitioners that Regulation 3.2.6 has been deleted by the subsequent handbooks of 2024-2025 and 2025-2026. However, considering that we have taken the above view and we consider it appropriate for the Petitioners case to also be brought before the committee, in line with the erstwhile Regulation. We accordingly direct the reconvening of the committee which has already been constituted as per the order dated 30 April 2026 to consider the case of the present Petitioner in line with erstwhile Regulation 3.2.6.

3. The Final decision shall be taken by the Officiating Vice Chancellor of the NMIMS on or before 7 May 2026 and which shall be communicated to the Petitioners on that date. Until then the Petitioners will not be permitted to appear in the examinations and shall have to wait outcome of the final decision of Officiating Vice Chancellor of the NMIMS.

4. In the event the decision taken by the Officiating Vice Chancellor of NMIMS is adverse to the Petitioners, the Petitioners are at liberty to adopt appropriate proceedings in accordance with law.

5. In the event the decision taken by the Officiating Vice Chancellor of NMIMS is in favour of the Petitioners, the Respondent No.2-School of Law is directed to allow the Petitioners to take the re-examination in the

examination papers which the Petitioners have not appeared as a result of the impugned communications dated 20 April 2026 and 27 April 2026 in Writ Petition (L) No.16225 of 2026 and impugned communications dated 30 April 2026 and 2 May 2026 in Writ Petition (L) No.16243 of 2026.

6. We make it clear that the above observations are prima facie, considering the exigencies of the matter.

7. The impugned communication dated 20 April 2026, 27 April 2026, 30 April 2026 and 2 May 2026 shall be kept in abeyance till the decision is taken by the Committee duly constituted as above.

8. Respondents are permitted to file their Affidavits-in-Reply to the Petition which shall be filed on or before 9th June 2026.

9. The Petitioners are at liberty to file Affidavit in Rejoinder thereto on or before 16th June 2026.

10. Place the Writ Petition for further consideration on **17th June 2026**.

11. Liberty is granted to the Petitioners to apply on an earlier date once the decision is taken by the duly constituted Committee under the said Regulation 3.2.6.

12. The Respondent No.4-Bar Council of India is requested to take into consideration the directions of the Delhi High Court in ***Re Suicide Committed by Sushant Rohilla, Law Student of I.P. University*** (supra) regarding revisiting Rule 12 of the Bar Council of India Rules, expeditiously. This is in light of the clear directions of the Delhi High Court in ***Re Suicide***

Committed by Sushant Rohilla, Law Student of I.P. University (supra).

Further, its decision may have a direct bearing on the fate of several such matters.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]