



CNR: KAHC010517732026

NC: 2026:KHC:40743-DB
WA No. 1837 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT APPEAL NO. 1837 OF 2026 (EDN-RES)

BETWEEN:

1. AMIT KUMAR
S/O ARUN SAW
AGED ABOUT 30 YEARS
STUDENT OF:
CMR INSTITUTE OF TECHNOLOGY
BENGALURU
R/ KRS PG, ROOM NO.16
NEAR NAGALINGESHWAR TEMPLE
KUNDALAHALLI VILLAGE
MARATHAHALLI
BENGALURU - 560 037
UNIVERSITY SEAT NUMBER: 1CR141S007
2. SYED JALALUDDIN
S/O SYED HUSSAIN
AGED ABOUT 30 YEARS
STUDENT OF: BRINDAVAN
COLLEGE OF ENGINEERING
BENGALURU
R/AT NO.55, 1ST FLOOR
2ND CROSS, 30 KG HBR 2ND STAGE
RASHAD NAGAR, A.C. POST

Digitally
signed by
VEERENDRA
KUMAR K M
Location:
High Court
of Karnataka



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BENGALURU - 560 045
UNIVERSITY SEAT NUMBER: 1BO14EC063

3. NAVEENA M
S/O MAHALINGANAYAKA
AGED ABOUT 38 YEARS
STUDENT OF: BMS EVENING
COLLEGE OF ENGINEERING
BENGALURU
R/AT NO.10, 4TH B CROSS
HARSHA LAYOUT, KENGERI
BENGALURU - 560 060
UNIVERSITY SEAT NUMBER: 1BE09EE424
4. TANZEEL AHMAD
S/O AMIN AHMAD
AGED ABOUT 32 YEARS
STUDENT OF: GHOSIA
COLLEGE OF ENGINEERING
R/AT 1441, GALI NO.7
MAULANA AZAD COLONY
RANCHI - 834 001
UNIVERSITY SEAT NUMBER: 1GC10EE031
5. B.V. VISHWANATH
S/O VISHNU MAHALE
AGED ABOUT 39 YEARS
STUDENT OF: BMS EVENING
COLLEGE OF ENGINEERING
BENGALURU
R/AT 1320/3, 7TH MAIN ROAD
WEST OF CHORD ROAD
MAHALAKSHMIPURAM
BENGALURU - 560086
UNIVERSITY SEAT NUMBER: 1BE15CV402



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6. MD UBAIDULLAH K
S/O MOHAMMED SHAFI K
AGED ABOUT 31 YEARS
STUDENT OF RAO BAHADUR
Y. MAHABALESWARAPPA
ENGINEERING COLLEGE
BALLARI
R/AT DOOR NO.5, WARD NO.21
DUGGI MAHADEVIAH STREET
COWL BAZAAR, BALLARI - 583 101
UNIVERSITY SEAT NUMBER: 3VC12ME060
7. NAVEEN R
S/O RAJASHEKAR
AGED ABOUT 30 YEARS
STUDENT OF: DR. T. THIMMAIAH
INSTITUTE OF TECHNOLOGY
R/AT NO.557, SHIVA NIVAS
MV NAGAR, KGF, KOLAR - 563115
UNIVERSITY SEAT NUMBER: 1GV14EC034
8. TEJESHWAR A
S/O N. ANANTHARAMU
AGED ABOUT 34 YEARS
STUDENT OF: BMS EVENING
COLLEGE OF ENGINEERING
BENGALURU
R/AT 331/9D1, SRI NIVASA
HULIMAVU MAIN ROAD
HULIMAVU, BENGALURU - 560 076
UNIVERSITY SEAT NUMBER 1BE12CV447

...APPELLANTS

(BY SRI. TRIVIKRAM S.S., ADVOCATE)



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AND:

1. THE REGISTRAR (EVALUATION)
VISVESVARAYA TECHNOLOGICAL UNIVERSITY
JNANA SANGAMA
BELAGAVI - 590 018
2. VISVESVARAYA TECHNOLOGICAL UNIVERSITY
JNANA SANGAMA
BELAGAVI - 590 018
REPRESENTED BY ITS VICE-CHANCELLOR
...RESPONDENTS

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, PRAYING TO CONSIDER THE INTERIM PRAYER SOUGHT BY THE APPELLANTS IN W.P.No.22237/2026 AND PERMIT THE APPELLANTS TO APPEAR FOR THE ENSUING EXAMINATION IN THE UNSUCCESSFUL SUBJECT, AS PER THE EXAMINATION TIME TABLE ISSUED BY THE RESPONDENT UNIVERSITY, BY SETTING ASIDE THE ORDER DATED 21.07.2026 PASSED IN W.P.No.22237/2026 & ETC.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The appellants have filed the present appeal impugning an order dated 21.07.2026 passed by the learned Single Judge in



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W.P.No.22237/2026 (EDN-RES) inasmuch as the learned Single Judge has not granted an *ad interim* order.

2. The learned counsel appearing for the appellants' state that the appellants had sought for an *ad interim* order to permit the appellants to sit for the examination, which is scheduled to be conducted, but the said prayer has not been acceded to. The examination is scheduled tomorrow (05.08.2026).

3. Admittedly the appellants have not been permitted to sit for the examination on the ground that they have exhausted the maximum number of attempts for clearing the examination. And, the relevant Rules do not permit the appellants to pursue the course with the respondent-University.

4. However, the learned counsel appearing for the appellants submits that in certain mitigating circumstances, the respondent-University has granted a final opportunity to similarly placed students to sit for the back-log papers for completing the course. It is stated that the University is not considering the representations of the appellants, in view of the observations made by the Single



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Judge in the order dated 30.01.2025 passed in W.P.No.200204/2025(EDN-EX). The said observations are to the effect that the University has mindlessly permitted students to complete their course and that is bound to affect the standards of education.

5. The question as to how many further attempts are required to be permitted for completing the course is a matter of the relevant Rules and Regulations. The University is also not precluded from relaxing the Rules, if permitted under the Rules for addressing the grievances of the students.

6. In the aforesaid circumstances, we dispose of the present appeal, by permitting the appellants to make a representation to the University (if not already made). The same would be considered within the confines of the relevant Rules and regulations, uninfluenced by the observations made by the learned Single Judge in W.P.No.200204/2025 (EDN-EX).



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7. We further direct that the writ petition (W.P.No.22237/2026) be listed before the learned Single Judge on 12.08.2026.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(K.S. HEMALEKHA)
JUDGE**

KMV
List No.: 2 Sl No.: 31