

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><b><u>SPA/261/2025</u></b>  Indian Institute Of Management Kashipur --Appellant</p> <p style="text-align: center;"><b>Versus</b></p> <p>Shruthi Komath --Respondent</p> <p><b><u>Hon'ble Manoj Kumar Gupta, C. J.</u></b>  <b><u>Hon'ble Subhash Upadhyay, J.</u></b></p> <p>1. Mr. Digvijay Nath Dubey (through V.C.), Mr. Jagdish Singh Bisht and Mr. Tanmay Tiwari, learned counsels for the appellant.</p> <p>2. Dr. Kartikey Hari Gupta and Gaurav Kandpal, learned counsel for the respondent.</p> <p>3. The present appeal was disposed of on basis of the statement made by learned counsel for the appellant that the appellant institute had dealt with the matter relating to the admission of the respondent by taking a lenient view and had thus complied with the interim order passed by the learned Single Judge dated 08.07.2025 in WPMS No. 2033 of 2025. While disposing of the Special Appeal it came to be mentioned in last line that all miscellaneous petitions also stand closed.</p> <p>4. The instant Recall Application (MCC No. 03 of 2026) has been filed by the respondent-writ petitioner stating that recently the appellant-institute has issued an order dated 06.04.2026, whereby again it has taken the same stand that admission granted to the petitioner in the 2<sup>nd</sup> year was provisional and she should take additional courses to reduce DCPs below 15. It is</p>

also stated that the enrolment of the petitioner would continue to be provisional and shall be subject to the outcome of WPMS No. 2033 of 2025.

5. The case of the respondent-writ petitioner is that she is entitled to the benefit of Section 16 of Persons with Disability Act, 2016. Learned counsel for the respondents submits that the said question is yet to be decided in the writ petition but since in the order dated 18.09.2025 it came to be mentioned that Misc. Application would also stand disposed of, along with Special Appeal, the office is treating the writ petition as having been disposed of and is not listing the writ petition.

6. Counsel for the appellant very fairly does not oppose the prayer made by the writ petitioner that clarification be made that the observation in the order that Misc. Applications would also stand disposed of, would not mean that the main writ petition also stands disposed of.

7. Having regard to the above, we clarify that WPMS No. 2033 of 2025 was not disposed of by order dated 18.09.2025. The office shall correct the status of the said petition on the official website and list the same before the appropriate Court after three weeks.

8. Recall Application (MCC No. 3 of 2026) stands disposed of.

**(Subhash Upadhyay, J.) (Manoj Kumar Gupta, C.J.)**

19.05.2026

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