



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PUBLIC INTEREST LITIGATION NO.14 OF 2024

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Sharmila Ghuge

..... Petitioner

Vs.

University of Mumbai & Ors.

..... Respondents

Shri Sumit Khanna i/b. Dewani Associates for
the petitioner

Raufa Shaikh i/b. Shri Yuvraj Narvankar for
respondent No.1

Shri Rui Rodrigues for respondent No.3

Shri Shekhar Jagtap for respondent No.2 – Bar
Council of India

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
AMIT BORKAR, J.**

DATE : OCTOBER 23, 2024

P.C.

1. The affidavit filed by the University Grants Commission is taken on record. According to the said affidavit the University Grants Commission (Minimum Standards of Instruction for the Grant of First Degree through Formal Education) Regulations, 2003 clearly mandate not only minimum number of lectures/tutorials/seminars/practicals which the students are required to attend for eligibility to appear in the examination which shall be prescribed by the University which should not be less than 75% of the total number of lectures/tutorials/seminars/practicals etc. but it also prescribes that every University enrolling the students shall ensure that the

number of actual teaching days on which classes are held or conducted, is not less than 180 days in an academic year, excluding holidays and vacations. The said provisions are contained in Regulations 4.1 and 5.8, respectively, of the Regulations, 2003, which are extracted hereinbelow:

"4.1 Every university enrolling students for the first degree programme shall ensure that the number of actual teaching days on which classes such as lectures, tutorials, seminars, and practicals are held or conducted is not less than 180 in an academic year, excluding holidays, vacations, time set apart for completing admissions and time required for conduct of examinations."

"5.8 The number of lectures, tutorials, seminars and practicals which a student shall be required to attend for eligibility to appear at the examination shall be prescribed by the university, which ordinarily shall not be less than 75% of the total number of lectures, tutorials, seminars, practicals, and any other prescribed requirements."

2. To ascertain as to whether the University of Mumbai has prescribed the minimum number of lectures/ tutorials/ seminars/ practicals, which a student is required to attend for his/her eligibility to appear in the examination, we call upon the learned Counsel representing the University, to file an affidavit by 14th November 2024 disclosing the said information.

3. Learned Counsel for the petitioner has tendered additional submissions which are also taken on record. The said submissions contain a Circular dated 24th September 2024 issued by the Bar Council of India, which is addressed to all the Vice Chancellors/Registrars of Universities/Centers of Legal Education, prescribing certain norms to be followed by the students which, *inter alia*; provides that a proof of compliance of the attendance norms as per Rule 12 of the Rules of Legal Education must also be provided.

4. We direct the Bar Council of India to file the affidavit-in-reply by 14th November 2024. Rejoinder affidavits to the affidavits filed by the respondents may be filed by the petitioner by the next date of listing.

5. Stand over to **28th November 2024.**

(AMIT BORKAR, J.)

(CHIEF JUSTICE)