

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

**WRIT PETITION (STAMP) NO.27559 OF 2019**

Deccan Education Society & Anr. .. Petitioners  
Vs.  
The State of Maharashtra & Ors. .. Respondents

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Mr. Kiran Bapat a/w Mr. Rajesh S. Datar i/b Manish Kelkar, advocate  
for the petitioners.

Mr. A.I. Patel, AGP a/w Mr. M.M. Pable, AGP for the respondent  
Nos.1 and 2.

Mr. S.S. Patwardhan, advocate for the respondent No.3.  
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**CORAM : N.B. SURYAWANSHI, J.**

**DATE : 25TH OCTOBER, 2019  
(VACATION COURT)**

**P.C.**

1. Heard the learned counsel for the petitioners, the learned  
AGP for the respondent Nos. 1 and 2 and the learned counsel for the  
respondent No.3.

2. Issue notice to the respondents, returnable on  
25/11/2019.

3. Learned AGP waives service on behalf of respondent  
Nos. 1 & 2 and learned counsel also waives service on behalf of  
respondent No.3.

4. The petitioners to serve respondent Nos. 4 and 5 by court  
notice as well as by private service.

5. The petitioner No.2, Law College, is running 3 years and 5 years law courses. The petitioners since wanted to introduce B.B.A. LL.B. Course, applied for necessary permissions, approval and affiliation to the respondents. The Government of Maharashtra approved the B.B.A. LL.B. Course of the petitioners by issuing G.R. dated 15<sup>th</sup> June, 2018. The petitioners, thereafter, were granted affiliation to the B.B.A. LL.B. first year and second year course, with intake capacity of 60 students for the academic year 2019-2020 by the respondent No.4, University. The petitioners, thereafter, applied for approval to the fifth respondent, viz., Bar Council of India, on 4<sup>th</sup> July, 2018 and also deposited necessary inspection fees of Rs.3,50,000/-. The inspection of the premises of second petitioner was conducted on 23<sup>rd</sup> March, 2019. Thereafter, interim consent letter dated 25<sup>th</sup> September, 2019 was issued by the respondent No.5, thereby permitting the petitioner No.2 to conduct the admission for 5 years B.B.A. LL.B. course in accordance with the Legal Education Rules, 2008, with intake of 60 students, on furnishing Undertaking by the petitioners that they would be paying the faculty members, both for law and management, as per the UGC Scale, which Undertaking is also furnished by the petitioners.

6. The petitioners informed to the second respondent on 3<sup>rd</sup> October, 2019 about the approval and affiliation received by the petitioner No.2, thereby requesting the second respondent to allot 60 students to the petitioner No.2 during CET process. On 30<sup>th</sup> September, 2019, the petitioners forwarded communication to the respondent No.3, i.e., Admission Regulating Authority, CET, Mumbai, requesting to allot students to the petitioner No.2 for B.B.A. LL.B. course through CET process. However, though the CET process

commenced, there was no response from the respondents. It is the case of the petitioners that the petitioner No.2 is already registered for admission to the LL.B. Courses in the CET process, in pursuance of the communication dated 18<sup>th</sup> April, 2019, issued by third respondent, i.e., Admission Regulating Authority.

7. On 16<sup>th</sup> July, 2019, the tentative schedule for LL.B. 5 years full time integrated course was published by the respondent No.3. The centralised admission process commenced and presently the fourth round, i.e., institutional round is going on, which has begun on 7<sup>th</sup> October, 2019 and which will continue till 31<sup>st</sup> October, 2019.

8. The learned counsel for the third respondent was asked as to whether, at this stage, it is possible to include the name of the petitioner No.2 in the ongoing fourth institutional round of centralised admission process? He submitted that it is possible to include the name of the petitioner No.2, if directed by this court.

9. In my view, the petitioners have made out a case for grant of ad-interim relief. For no fault on the part of the petitioners, only because the petitioners received late approval from the Bar Council of India and considering the fact that the petitioner No.2 is already registered for present admission process, following interim directions are issued during the pendency of this Petition :-

### **ORDER**

- (i) The respondent No.3 is directed to include the B.B.A. LL.B. 5 years law course of the petitioner No.2, for the academic year 2019-2020, in the ongoing fourth institutional round of the centralised admission

process.

- (ii) The respondent No.3 may allot students for the B.B.A. LL.B. course to the petitioner No.2, after ascertaining their willingness, in the ongoing fourth institutional round of the centralised admission process.

10. List the matter for further consideration on 25/11/2019.
11. Parties to act upon the authenticated copy of this order.

**[ N.B. SURYAWANSHI, J. ]**