

SHIVAKUMAR
S/O. NAGARAJ KORBAD

(DELETED VIDE COURT ORDER DATED:11.11.2021)

2 DHARANEENDRA

3. K. SHIVARAM KRISHNA NAYAK,

4 NAGALINGAPPA S/O. ANNAIAH

5. RAMESH
S/O. RAMESH

6. RAVI

7. AISHWARYA JOSHI |

8. MAHENDRA REDDY

9. BASAVARAJ SHETTAR,

10. BHAGYA SHARANAPPA

11. UMA

12. RAJA MAHARAJ BADEGERI,

13. THE STATE OF KARNATAKA
DEPARTMENT OF HIGHER EDUCATION
REP. BY PRINCIPAL SECRETARY
M.S. BUILDING, BENGALURU-560001.

14. BAR COUNCIL OF INDIA
REP. BY ITS CHAIRMAN
21, ROUSE AVENUE INSTITUTIONAL AREA
NEAR BAL BHAVAN, NEW DELHI-110002.

15. THE PRINCIPAL
KPES LAW COLLEGE, DC COMPOUND
DHARWAD-580001.

...RESPONDENTS

(BY SRI. DAYANAND M BANDI, ADVOCATE FOR R1 TO 6)

(SRI. N. KHETTY, ADVOCATE FOR R7 TO R12)
(BY SRI. G.K. HIREGOUDAR, GOVT. ADVOCATE FOR R13)
(SRI. SHRIDHAR PRABHU, ADVOCATE FOR R14)
(SRI.B.V. SOMAPUR, ADVOCATE FOR R15)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE HIGH COURT OF KARNATAKA ACT, 1961 PRAYING THIS HON'BLE COURT TO SET ASIDE THE ORDER DATED 14.12.2021 IN WRIT PETITION NO.104008/2021 PASSED BY THE LEARNED SINGLE JUDGE, HON'BLE HIGH COURT OF KARNATAKA, AT DHARWAD AND ALLOW THE WRIT APPEAL FILED BY THE APPELLANT AND THEREBY DISMISS THE WRIT PETITION, IN THE INTEREST OF JUSTICE AND EQUITY, ETC.

THIS WRIT APPEAL HAVING BEEN HEARD AND RESERVED ON 9.2.2022, COMING ON FOR PRONOUNCEMENT OF JUDGMENT, THIS DAY, **S.G. PANDITJ.**, DELIVERED THE FOLLOWING:

JUDGEMENT

The question as to *whether 2nd and 4th semester students of the three years' LL.B degree course of the appellant-Karnataka State Law University could be promoted to next semester without conducting any examination or evaluation* is for consideration in this appeal.

2. The petitioners, who are three years' LL.B degree students of different colleges were before the Writ Court in WP No.104008/2021 with the following prayers:

- i) Issue a writ of certiorari or any other order or in the form of direction to quash the Notification dated 22.09.2021 bearing No. KSLU/EXAM/2021-22/675(A) vide Annexure-m to the writ petition and also to quash the notification dated 4.10.2021 bearing No.KSLU/EXAM/2021-22 vide Annexure-N to the students are concerned in the interest of justice and equity.
- ii) Issue a writ of mandamus directing respondent No.2 to follow the guidelines of University Grants Commissioner of July 2021 vide Annexure-G followed by Karnataka University, Dharwad vide Circular dated 27.9.2021 vide Annexure-K and to promote the intermediate semester students to next semester and to evaluate their performance on the internal evaluation in the interest of justice and equity
- iii) or alternatively to issue a writ of mandamus directing the 2nd respondent to postpone the examinations held vide notification dated 4.10.2021 bearing No. KSLU/EXAM/2021-22 vide Annexure-N to

the writ petition, insofar as 2nd and 4th-semester students are concerned, to afford sufficient time for the said students to prepare for the examination after completing the required syllabus to respective 2nd and 4th-semester courses.

Thus in substance, the prayer is to conduct the evaluation based on internal assessment Or in the alternative, to postpone the examination scheduled in October 2021 and to afford sufficient time for the students to prepare for the examination. The relief granted in the impugned order is neither of the above prayers. In terms of the impugned order, there is a direction to promote the students of the 2nd and 4th semesters without conducting any kind of examination or evaluation.

3. Today's Law students are the pillars of tomorrow's legal system including justice delivery system. Keeping this in mind, the question framed above is to be considered.

4. The appellant was respondent No.2 and respondents 1 to 12 were the petitioners before the Writ Court in WP No.104008 of 2021.

5. The parties to this appeal would be referred to as they stand before the Writ Court.

6. The petitioners had contended in the aforesaid writ petition that Notification under challenge with regard to the conduct of examination to the intermediate semester students is arbitrary and violative of Articles 14 and 21 of the Constitution of India, for the reason that no proper education was imparted and imbibed to the students. The contention is raised on the premise that classes are not properly conducted on the prescribed syllabus during the Covid-19 pandemic due to lockdown. Thus, conducting the examination without proper coaching would be arbitrary. Further, the petitioners relied upon the decision of this Court in *WP No.14389/2020, dated 8.2.2021*, wherein this Court directed the Karnataka State Law University (for short, 'University') to assess the

students based on internal assessments to an extent of 50% and the remaining 50% of the marks based on performance in the previous semesters only (if available), insofar as even semester examinations are concerned. Respondent/University in the writ petition contended that based on the Press Release dated 10.6.2021 (Annexure-H), it is incumbent on the University to conduct examinations either Online/Offline/Blended/Online Open Book Exam(OBE)/Assignment Based Evaluation(ABE)/Research papers. It is stated that the University Grants Commission (for short, 'UGC') guidelines on examinations and academic calendar for the Universities in view of Covid-19 pandemic and subsequent lockdown issued therein would be subject to the advisories/directives issued by the apex statutory bodies/councils concerned including Bar Council of India (for short, 'BCI').

7. The learned Single Judge on considering the rival contentions of the parties under the impugned order, quashed the Notification under challenge and directed the

2nd respondent/University to promote the petitioners to next semester in the light of the order passed by this Court in *WP No.14389/2020, dated 8.2.2021*. Assailing the said order, the 2nd respondent/University is in appeal before this Court under Section 4 of the High Court of Karnataka Act, 1961.

8. Heard Sri. Uday Holia learned Senior Counsel on behalf of Sri. K.L. Patil learned counsel for the appellant/University, Sri. Dayanand M Bandi learned counsel for respondents 1 to 6, Sri. N. Khetty, learned counsel for respondents 7 to 12, Sri. G.K. Hiregoudar learned Govt. Advocate for respondent No.13, Sri. Sridhar Prabhu learned counsel for respondent No.14-BCI and Sri. B.V. Somapur learned counsel for respondent No.15-KPES Law College and perused the entire writ appeal papers carefully.

9. Sri. Uday Holla, learned Senior Counsel would submit that the action of the appellant/University to conduct examinations is in tune with the press release dated 10.6.2021 issued by the BCI. Referring to

Annexure-H, press release dated 10.6.2021, learned Senior Counsel would submit that the BCI constituted the High-Level Experts Committee to consider the mode of intermediate semester examinations/evaluation and promotion of intermediate LL.B Students and also to consider evaluation of the mode of examination before issuance of degree for Final Year Law Students. The Committee after detailed deliberation directed the Universities to determine the mode of examinations i.e. Online/Offline/Blended/Online Open Book Exam/Assignment Based Evaluation/Research papers. It is his submission that the BCI had left the issue of conducting examinations to the Universities concerned. The learned Senior Counsel would also refer to the UGC guidelines on examinations (Annexure-G) and points out Clause-7 therein, which indicates that the guidelines issued by the UGC would be subject to the advisories/directives issued by the apex statutory bodies/councils concerned, which includes BCI regarding examinations and academic calendars. He would also submit that the directives or

guidelines issued by the BCI would prevail over the guidelines issued by the UGC. Thus, learned Senior Counsel justifies the proposal of the University to conduct examinations to promote the intermediate law students to the next semester.

10. Learned Senior Counsel would also submit that the learned Single Judge has come to a wrong conclusion that there was no proper imparting of education based on the proceedings of the Experts' Committee dated 8.9.2021 of the appellant/University. It is submitted that the questionnaire to the students could not have been taken as a basis to come to such a conclusion. On the contrary, learned Senior Counsel points out two documents produced as additional documents dated 8.2.2022 to contend that the colleges affiliated to the appellant/University conducted Online and Offline classes from May-2021 to September-2021. Therefore, he submits that without there being cogent materials to say that no classes were conducted, the finding of the learned Single Judge is erroneous. Further, learned Senior Counsel

submits that the direction issued by the learned Single Judge to promote the petitioners to the next semester in the light of the order passed by this Court in WP 14389/2020 dated 8.2.2021 would not stand to reasons since the said direction was issued by the learned Single Judge in the said writ petition taking note of the situation prevalent during the period before February 2021 i.e. during the period from June 2020 to December 2020. It is his submission that apart from changed circumstances, learned Single Judge in WP No.14389/2020 had directed some sort of evaluation based on the internal assessment as well as performance in the previous semesters. However, the learned Single Judge in the present case, issued blanket direction to promote the petitioners to next semester without any evaluation which would be unrealistic and it would amount to promoting the student without knowing as to whether he imbibed the syllabus prescribed and whether he has understood the contents of the relevant subject.

11. Learned Senior Counsel would also refer to the order passed by the learned Single Judge of Principal Bench, Bengaluru in WP No.22736/2021 & connected matter, disposed of on 23.12.2021, wherein 5 years LL.B course students had approached this Court contending that the press release dated 10.6.2021 mandating holding of examinations would not apply to the intermediate semester students of 5 years LL.B course was rejected. Thus, learned Senior Counsel would submit that keeping in mind maintaining the standard of legal education, conducting of examination or evaluation before promoting the students to the next semester would be necessary. He submits that promoting the students without examination to the next semester would be detrimental to the legal profession and the justice delivery system. Further, he submits that conducting of the examinations or otherwise is a matter to be left to the academicians or experts in the academic field. Thus, he submits that to maintain a high level of standard in legal education as well as the legal profession, examination to promote the students to the

next semester would be necessary. Therefore, he prays for setting aside the impugned order of the learned Single Judge and permitting the appellant/University to conduct examinations.

12. Sri. Sridhar Prabhu, learned counsel appearing for the BCI submits that the BCI is the apex body insofar as legal education is concerned and he would submit that the advisories/directives issued by the BCI would prevail over the guidelines/directives issued by the UGC in the matter of conducting of examinations insofar as legal education is concerned. Learned counsel would also submit that after the order of the learned Single Judge in WP No.14389/2020 and connected matters, the BCI constituted Expert Committee under the Chairmanship of Hon'ble Mr Justice Govind Mathur, Former Chief Justice of Allahabad High Court, to submit a report on the point of examinations and promotions of LL.B students. It is his submission that the Committee in its report recommended for the conduct of examinations and left to the Universities to determine the mode of examinations i.e.

Online/Offline/Blended/Online Open Book
Exam(OBE)/Assignment Based Evaluation (ABE)/Research
papers. He submits that unless examination or evaluation,
no student could be promoted to the next semester and if
any student is promoted to the next semester without
examination, such a Law Degree would not be a valid
degree. Learned counsel would also refer to the Rules of
Legal Education-2008 (for short, '2008 Rules') framed by
the BCI under Section 7(1)(h) and 24(1)(c)(iii) and (iiia),
49(1)(af), (ag) and (d) of the Advocates Act, 1961 (for
short, '1961 Act'), to say that the University has prescribed
Rules for conduct or to maintain the standard of legal
education. Further, he submits that the press release
dated 10.6.2021 of BCI, wherein the Universities were
directed to determine the mode of examinations for
promotion to the next semester is not under challenge.
Learned counsel would also endorse the arguments of
learned Senior Counsel Sri. Uday Holla submits that to
maintain the high standard of the legal profession, the
conduct of examination before the law students are

promoted to the next semester or before awarding a Law Degree is necessary. Thus, he prays for allowing the writ appeal.

13. Sri. N. Khetty, learned counsel for the petitioners/students submits that in an extraordinary situation of Covid-19 pandemic when the lockdown was declared in April 2021, which was continued up to July 2021, no classes were conducted to impart the education and the students were not able to imbibe the syllabus prescribed for the semester. In that situation, conducting of examination for promoting the students to the next semester or to issue an LL.B degree would be unfair and unreasonable. He submits that instead of conducting online or offline examinations, it would be expedient to promote the students by evaluation as directed by this Court in WP No.14389/2020 dated 8.2.2021. It is his submission that there is no need to challenge the press release dated 10.6.2021 of BCI since the petitioners/students are not aggrieved by the said press release. On the other hand, they are seeking direction to

promote the petitioners by evaluating the students based on their internal assessments and performance in the previous semesters. Learned counsel would also concur with learned Senior Counsel, Sri. Uday Holla about maintaining high standards of legal education. Learned counsel would submit that it is academically impossible for any student to write back to back examinations or even odd semester examinations. If the appellant-University is permitted to conduct the examinations, students of the 2nd semester will be put under unnecessary pressure, since it would mean that the petitioners will have to write examinations every alternate month. Learned counsel would further contend that the UGC guidelines on examinations and academic calendar for the Universities in view of Covid-19 pandemic and subsequent lockdown would apply to the Law Universities and appellant-University is required to follow the guidelines stated therein. Thus, he prays for the modification of the order passed by the Learned Single Judge and would submit to

grant the prayer for assessment based on internal evaluation which is one of the modes suggested by BCI.

14. As stated above, in view of the stand taken by the respondents-students, the only question which requires to be answered is as to *whether the Law students of 3 years' LL.B course are to be promoted to the next semester based on internal evaluation?*

15. Our answer to the above point is in the negative for the following reasons:

16. The development of a good legal system depends upon qualitative legal education imparted through various legal institutions and universities. Qualitative legal education is to be imparted to the students of the law taking into account the needs of the society with the changing times. The legal system of a country is a part of its social system and it reflects on social, political, economic and cultural characteristics of that society. Legal education is the foundation for the development of rule of law. The legal profession is not just about practising in courts, but within its sphere includes law teaching, law

research, administration, commercial and industrial activity, which requires legal knowledge and skill. The system of legal education should inspire confidence in the general public. Barring a few law schools and a few colleges affiliated with universities, the standard of legal education is found wanting.

17. The BCI is the apex body insofar as legal education is concerned. Section 24 of the 1961 Act provides persons who may be admitted as advocates on a State roll, who fulfil the conditions enumerated therein which includes obtaining a degree in law from universities that are recognized under the Advocates Act of 1961. Section 7 of the 1961 Act enumerates the functions of BCI. Sub-section 1(h) and (i) of Section 7 of the 1961 Act reads as follows:

(h) to promote legal education and to lay down standards of such education in consultation with the Universities in India imparting such education and the State Bar Councils;

(i) to recognize Universities whose degree in law shall be a qualification for enrolment as an

advocate and for the purpose to visit and inspect Universities (or cause the State Bar Councils to visit and inspect Universities in accordance with such directions as it may give in this behalf).

The above provision makes it clear that BCI is empowered to lay down the standards of legal education in consultation with the Universities in India imparting such education and State Bar Councils. BCI is also empowered to recognize the Universities, whose degree in law shall be a qualification for enrolment as an advocate.

18. BCI has framed the 2008 Rules in the exercise of its power under Section 7(1)(h) and 24(1)(c)(iii), and (iiia), 49(1)(af), (ag) and (d) of the 1961 Act prescribing standard of legal education and recognition of degrees in law for enrolment on the rolls of advocates. Rule 2(xiii) & (xxxi) provides an integrated degree course in the law of not less than five years and a unitary degree course in the law of three years LL.B degree after completing a bachelor degree course in any discipline. 2008 Rules also lays down procedures to be followed and the eligibility criteria for

admission of a student to law course and minimum marks in the qualifying examination for admission. Rule 3 of 2008 Rules reads as follows:

8. Standard of courses

Whereas all Universities and their constituent and affiliated Centres of Legal Education conducting either the three-year law degree program or the integrated double degree program for not less than five years of study or both would follow the outline of the minimum number of law courses both theoretical and practical, compulsory and optional, as the case may be, prescribed by the Bar Council of India and specified in the Schedule II and ensuring that:-

- (a) the minimum number of law courses are effectively conducted in the Centres of Legal Education with adequate infrastructural facilities as may be prescribed and in the manner stipulated by the University Regulations and Rules and that of the Bar Council of India Rules,
- (b) the minimum standard of first-degree course as designed and run by the University to run integrated course in accordance with the standard prescribed by the University given academic and other standards laid down, if any, taking into consideration by the standard-setting institutions like University Grants Commission or All India Council for Technical Education or any such body, as the case may be, and the program is effectively run with adequate number of faculty in respective subjects, with infrastructural facilities as may be

- prescribed by the University as well as the Bar Council of India, and
- (c) there is a regular and proper evaluation system for certification of the students graduating in law after completing the course as regular students.

(underline provided)

Clause-c of the above provision makes it clear that there shall be a regular and proper evaluation system for certification of the students graduating in law after completing the course as regular students. In other words, to a regular student, there shall be a regular and proper evaluation system before certification of the students graduating in law.

19. No doubt, mankind is in a precarious situation due to the Covid-19 pandemic since the beginning of the year 2020. Due to the Covid-19 pandemic, intermittently there was lockdown, halting the global activities and normal human life. The field of education is the most affected area during the pandemic. However, when it comes to evaluating the performance of the students studying in professional courses and when it comes to certifying the students' eligibility to next semester,

evaluation is not to be abandoned altogether. The students studying in professional courses have greater responsibility and need to possess the requisite skill required for their calling. The relaxation shown in non-professional streams cannot be shown here especially in the technical field like law, medicine and engineering. Furthermore, on account of the pandemic, one cannot give up maintaining standards of education.

20. The petitioners were before this Court challenging the Notifications issued by the 2nd respondent/University dated 22.9.2021 (Annexure-M and revised notification dated 4.10.2021 (Annexure-N) notifying the provisional registration of Examination Application Forms for 3 years and 5 years LL.B course, and extension for provisional registration of examination application forms for 3 years and 5 years LL.B course. As on this day, a challenge to those notifications would not survive for consideration, since the said notifications have spent themselves. The question is as to whether the guidelines issued by the UGC would be binding on the

2nd respondent/University. It is not in dispute that the BCI is the apex body with regard to legal education as noted above. Section 7(1)(h) of the 1961 Act empowers the BCI to lay down the standards of legal education in consultation with the Universities in India imparting such education. UGC guidelines on examinations and academic calendar for the Universities in view of the Covid-19 pandemic is placed on record as Annexure-G to the writ petition. A perusal of the guidelines particularly, clause-7 therein reads as under:

7. The present guidelines are subject to the advisories/directives issued by the apex statutory bodies/councils concerned, e.g. AICTE, NCTE, BCI, NMC, DCI, INC, PCI, AYUSH etc. regarding examinations and academic calendars.

A reading of the above guidelines issued by the UGC makes it clear that the guidelines are subject to advisories/directives issued by the apex body which includes BCI regarding examinations and academic calendars. Therefore, guidelines issued by the UGC would be subject to further directives issued by the BCI. BCI in

its press release dated 10.6.2021 has made it clear that on the recommendation of the Expert Committee headed by the Hon'ble Justice Govind Mathur, Former Chief Justice of Allahabad High Court, as Chairperson recommended as follows:

"The members deliberated at length regarding the mode of evaluation/examination for the promotion from intermediate semester to the next semester and the award of the Law Degree.

After detailed discussion and deliberations, the Committee unanimously agreed that each University/Centres of Legal Education shall conduct examination for intermediate and final year students, as per their dispensation, depending upon the availability of resources and the impact of COVID 19 in that region. It was unanimously agreed that an end-term examination is mandatory to be conducted by all Law schools/Universities. It was further decided that universities/Centres of Legal Education are free to determine the mode of examination (online/Offline/blended/Online Open Book Exam (OBE)/Assignment Based Evaluation(ABE)/Research papers).

The Committee also recommended that the Universities/Centres of Legal Education should ensure that a sufficient time gap exists between the regular and backlog examinations to avoid inconvenience to the students.

The Committee also took note of the earlier resolutions adopted by the Bar Council of India on 27.5.2020, 6.9.2020, 5.10.2020 and 1.11.2020 which had stipulated examinations for all semesters, and wherein guidelines regarding the mode of conduct of examination/evaluation had been issued and unanimously agreed that the University/Centres of Legal Education are free to determine the mode of evaluation/examination for promotion and award of the Law Degree and the conduct of the examination.

21. It is seen from the above that on the recommendation of the High-Level Expert Committee, the University/Centres of Legal Education are given the option to determine the mode of examination which could be Online/Offline/Blended/Online Open Book Exam/Assignment Based Evaluation/Research paper. It also reveals that the Committee has recommended that

the University/Centres of Legal Education should ensure that a sufficient time gap exists between the regular and backlog examinations to avoid inconvenience to the students. A reading of the above directives of the BCI in its entirety makes it clear that the University is given a free hand to determine the mode of evaluation/examination for promotion of law students and conduct of examinations. Therefore, we are of the considered opinion that unless examination/evaluation of law student, one cannot be promoted to the next semester or could be certified for issuance of law degree.

22. Learned Single Judge in the impugned order having rightly concluded that the BCI being a regulatory body for all the Universities affiliated to it was well within its power to issue the said advisory/direction and having come to the said conclusion, could not have directed the 2nd respondent/University to promote the petitioners to the next semester by following the direction issued by this Court in WP No.14389/2020 dated 8.2.2021. It is true that in WP No.14389/2020, dated 8.2.2021, this Court

directed the 2nd respondent/University to assess, insofar as even semester examinations are concerned, based on internal assessments of the students to an extent of 50% and the remaining 50% of the marks based on performance in the previous semesters. However, the said direction was issued by the learned Single Judge of this Court, taking note of the fact that the decision of the BCI and the University was not based on any expert opinion. After the decision in WP No.14389/2020, dated 8.2.2021, BCI, constituted the high-level expert committee as stated above and on obtaining a report from the High-Level Expert Committee, issued a press release dated 10.6.2021. Thus the decision dated 8.2.2021 passed in W.P. No.14389/2020 is based on different situations prevailing during the first wave of the pandemic. Moreover, the expert committee had not yet decided on the mode of examination. Therefore, the petitioners/students cannot take advantage of the above-stated order of this Court. The learned Single Judge did not notice that the issuance of the press release dated 10.6.2021 by the BCI is in

pursuance of the high-level expert committee report. Moreover, the situation prevailing at the time of passing the order by the learned Single Judge was entirely different from the situation which existed and considered by the learned Single Judge in WP No.14389/2020.

23. It is for the University and academicians to decide about the curriculum and mode/ methodology of the examination. It is not for the students to dictate the terms to the University to conduct the examinations or evaluation in a particular manner. The Hon'ble Apex Court in a catena of decisions has made it clear in matters relating to policy decisions concerning educational institutions the decisions are to be left with the academicians and experts in the education field. Thus, we are of the considered opinion that the order of the learned Single Judge directing the university to promote the students of the 2nd and 4th semester in terms of the order in WP No.14389/2020 is not proper and more so in a situation, such a prayer is not made by the petitioners.

24. It is also relevant to note that the Bar Council of India guidelines issued on 10.6.2021 is not under challenge. It is binding on the universities. In terms of guidelines referred above, which is issued on the report of the experts' committee, the University has no option but to choose one of the modes of the examinations/evaluation suggested by the Bar Council. It is brought to the notice of the court about the filing of an application to amend the petition to challenge the said guidelines. However, it is later not pressed. During the course of the hearing, it is submitted on behalf of petitioners/students that the students have no objection to one of the modes of evaluation suggested by the Bar council. Thus the controversy in the appeal has narrowed down to the point of whether students can insist on a particular mode of examination. The question is already answered above.

25. A contention was raised by the learned counsel for the petitioners/students that the classes are not properly conducted on the prescribed syllabus during the Covid-19 pandemic due to lockdown and without

conducting proper classes on the syllabus prescribed, the respondent/University could not have proposed to hold an examination for promotion to the next semester. In that regard, along with additional documents, affidavits of three students are filed, out of which, two students are from Hurkadli Ajja Law College, Dharwad and one from KPES Law College, Dharwad. On the other hand, respondent No.2/University has placed on record along with additional documents to establish that the colleges affiliated to the University conducted classes online as well as offline. In respect of Hurkadli Ajja Law College, Dharwad said the college has written a letter dated 16.12.2021 to the University informing that it had conducted 65 online classes and 30 offline classes from May to August 2021. Letter of KPES Law College, Dharwad dated 15.12.2021 indicates that the said college had conducted 55-60 online classes and 25-30 offline classes from May to August 2021. However, it is a disputed question of fact as to whether college conducted classes or not. Whether the colleges conducted the classes or students failed to attend

the online or offline classes conducted by the colleges cannot be gone into in this petition under Articles 226 and 227 of the Constitution of India. It is best left to the decision of the University, based on objective analysis of the material available before it to examine as to whether colleges have imparted education and completed syllabus prescribed for the semester.

26. For the reasons recorded above and in the best interest of legal education, the following:

ORDER

- a) Writ Appeal is ***allowed***;
- b) The order dated 14.12.2021 passed in WP No.104008/2021 by the learned Single Judge of this Court is set aside;
- c) Respondent No.2/University is directed to determine the mode of examination i.e. Online/Offline/Blended/Online Open Book Exam(OBE)/Assignment Based Evaluation (ABE)/Research papers, as suggested by the BCI under its press release dated 10.6.2021 (Annexure-H)

and other relevant documents within ten (10) days from the date of web hosting the present order;

- d) Consequent to taking a decision as directed above, respondent/University to take steps forthwith to complete the process of examination/evaluation of the students of 2nd and 4th semester of three years' LL.B Course;
- e) Respondent No.2/University shall ensure, the time gap prescribed under the rules if any, for conducting of examinations/evaluation;

Pending applications, if any, do not survive for consideration, and accordingly, they are disposed of.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

JTR