

Heard Sri Udaya Holla, learned Senior counsel assisted by Sri Ganapathy Bhat, learned counsel for the appellant, Sri Shridhar Prabhu, learned counsel for respondent No.11 and Sri Rajashekhar S, learned Additional Government Advocate appearing for respondent No.12. 2. This intra-Court appeal has been filed challenging the impugned order dated 12.11.2021 in Writ Petition No.18230/2021 c/w Writ Petition Nos.18172/2021 and 19816/2021 whereby, as an interim measure, the learned Single Judge has stayed the impugned circular dated 17.09.2021 and also all further proceedings pursuant to the impugned circulars till the next date of listing due to which, the University examinations which were scheduled to be held in the month of November, 2021 have been stayed. 3. Learned Senior Counsel appearing on behalf of the appellant submits that the learned Single Judge has grossly erred in considering the discrimination to the students of the Law Colleges governed by the appellant-University with the students of the colleges run by other State universities. In fact, the circular dated 23.07.2021 was not applicable to the appellant-University and the appellant-University had to conduct the examinations as per the direction issued by the Bar Council of India (BCI). The BCI is the governing body of the appellant-University and as per the direction of the BCI, no degree can be recognized by the University unless examination is held. 4. We have considered the submissions made by learned counsel for the appellant, learned counsel for respondent No.11 and learned Additional Government Advocate. 5. We find some force in the argument that Sections 9 and 10 of the Karnataka State Law University Act, 2009 would not apply in the present controversy as it would come within the power of the appellant-University to conduct the annual examinations. 6. Prima facie, we find that the students of the colleges governed by the appellant-University are altogether on different footing with that of students of the colleges governed by the other State Universities. The question of discrimination can be only amongst the equals. The matter requires consideration. 7. Issue notice to respondent Nos.1 to 10. 8. Learned counsel for the appellant to comply with the office objections within one week. 9. List on 07.03.2022. In the meantime, the appellant-University is permitted to hold the examinations. However, the results of the examinations shall be subject to further orders.