

ITEM NO.20

COURT NO.2

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 31/2025

PRAKRUTHI JAIN

Petitioner(s)

VERSUS

BAR COUNCIL OF INDIA

Respondent(s)

FOR ADMISSION
WITH

W.P.(C) No. 32/2025 (PIL-W)

FOR ADMISSION

SLP(Crl) No. 9450/2026 (II-D)

IA No. 147433/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

SLP(Crl) No. 10717/2026 (II-D)

IA No. 162507/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 162511/2026 - PERMISSION TO FILE SYNOPSIS AND LIST OF DATES

Date : 21-07-2026 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SANDEEP MEHTA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) :Mr. Mukul Rohatgi, Sr. Adv.

Mr. Kanu Agrawal, AOR

Ms. Vidya Bhalerao, Adv.

Mr. Gaurav Vats, Adv.

Ms. Mehak Kumar, Adv.

Mr. Madhav Sinhal, Adv.

Mr. Keshav Sehgal, Adv.

Mr. Guru Krishna Kumar, Sr. Adv.

Dr. Ram Sankar, Adv.

Ms. Anjul Dwivedi, Adv.

Mr. Vishesh Goel, Adv.

Mr. Naveen Kumar Ma, Adv.

M/S. Ram Sankar & Co, AOR

Petitioner-in-person

For Respondent(s) : Mr. Puneet Bali, Sr. Adv.
Mr. Pragyan Pradip Sharma, Adv.
Mr. Atul Nagrajan, Adv.
Mr. Harshvardhan Jha, Adv.
Mr. Kunal Verma, Adv.
Mrs. Yugandhara Pawar Jha, AOR
Ms. Shruti Sharma, Adv.
Mr. Aman Pathak, Adv.
Mr. Piyush Tiwari, Adv.
Mr. Rachit Sharma, Adv.
Mr. Aditya Soni, Adv.
Mr. Bhanu Thakur, Adv.
Ms. Swati Mishra, Adv.
Mr. Rajat, Adv.
Mr. Aryavardhan Jha, Adv.

Mr. Kanakamedala Ravindra Kumar, A.S.G.
Ms. Madhulika Upadhyay, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Akshat Agarwal, Adv.
Mr. Zoheb Hussain, Adv.
Mr. Arkaj Kumar, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Devraj Bhattacharjee, Adv.

Ms. Radhika Gautam, AOR

Mr. Parmanand Gaur, AOR
Ms. Megha Gaur, Adv.
Mr. Vibhav Mishra, Adv.

Mr. Rohan Dewan, AOR
Mr. Devvrat, Adv.
Ms. Harshita Sharma, Adv.
Mr. Rudra Deosthali, Adv.

Mr. Siddhartha Iyer, AOR
Mr. Aman Gupta, Adv.
Ms. Jaispriya Poply, Adv.
Ms. Srishti Ghoshal, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

- 1. The High Court of Delhi while dealing with a suo moto petition registered pursuant to suicide committed by a law student rendered**

a judgment dated 3rd November, 2025, wherein at para 249, certain directions were issued in respect of attendance norms in the law colleges. The sum and substance of the aforesaid directions mandates the Bar Council of India to undertake a re-evaluation of the mandatory attendance norms for the 3-year and 5-year L.L.B. courses in India in line with the observations made by the High Court in the preceding paras of the judgment and also in line with the NEP-2020 and so also the 2003 UGC regulations which contemplate flexibility in attendance requirements. Further, the High Court forbade any law college/university/institution in India from detaining any student enrolled in any recognised law college/university/institution from taking examinations or from being prevented to take further academic pursuits or career progression on the ground of lack of minimum attendance.

2. Consequent to the aforesaid judgment, the Bar Council of India issued a letter to various colleges/universities/institutions imparting law courses, directing that no student should be detained from appearing in examinations or prevented from progressing to the next semester solely on the ground of shortage of attendance during the ongoing period in which the Bar Council of India would re-evaluate the attendance norms pursuant to the Delhi High Court's judgment.

3. As a consequence, it is reported that many students pursuing law courses stopped attending classes on a regular basis for various reasons. This Court took up the issue of dilution of the

attendance norms in SLP (Crl.) No. 9450 of 2026 preferred by the petitioner - SVKMS Narsee Monjee Institute of Management Studies, and passed an interim order dated 26th May, 2026 in the following terms: -

“List on 21.07.2026.

In the meantime, the effect and operation of the paragraph no. 249 of the impugned judgment shall remain stayed, however the same shall be effective prospectively.

In the meantime, it would be open for the High Courts where similar matters are pending on the issue of attendance, to take an appropriate final decision. The pendency of this petition may not come in the way of the High Courts to decide the matters on merits.”

4. Pursuant to the above order, a situation has arisen wherein some colleges/universities propose to detain/prevent the students having shortfall in attendance from appearing in the final examinations/supplementary examinations for the ongoing academic session. Numerous applications have been filed before this Court and writ petitions have been filed by such students before High Courts praying for relaxation of the mandatory attendance norms on the ground that, during the contemporary academic session, there prevailed a state of uncertainty on account of the Delhi High Court's judgment and hence, the students started entertaining a legitimate expectation that they would not be barred from appearing in the examination on account of shortage of attendance. It has, thus, been prayed that, for the preceding academic year, the colleges imparting courses in law be restrained from detaining the

students on account of shortage of attendance.

5. Shri Mukul Rohatgi, learned senior counsel representing the petitioner in SLP (Crl.) 9450 of 2026 has vehemently opposed the submissions advanced by learned counsel for the applicants.

6. He urged that 6 different High Courts have taken a view contrary to the one taken by the Delhi High Court (*supra*) on attendance norms and hence, the students cannot be allowed to take advantage of the Delhi High Court judgment and they have to face the lawful consequences on account of shortage of attendance.

7. Having considered the submissions advanced at the bar, we are of the considered view that as the judgment rendered by the Delhi High Court in November, 2025 diluted the attendance norms in the law colleges and as the directions contained in the said judgment were virtually accepted by the Bar Council of India, the students who acted under a *bona fide* belief that mere shortage of attendance would not be an impediment to their appearing in the examinations for the ongoing academic session are entitled to the benefit of doubt as a one time measure only. Otherwise also, we may clarify that our stay order dated 26th May, 2026 categorically records that the effect thereof shall be prospective.

8. Hence, we hereby direct and provide that the students whose academic session was ongoing when the judgment dated 3rd November, 2025 was rendered by the Delhi High Court, shall not be detained or prevented from appearing in the final examinations for the said academic session. The order dated 26th May, 2026 being prospective

in its operation, the law students who are now facing an imminent consequence of loss of academic session on account of shortage of attendance shall not be prejudiced by the order passed by this Court and that they shall be permitted to appear in the final examination for the said academic session. In case the students have not been able to appear in the final examination either completely or partially, they shall be allowed to take the supplementary examination for this session only.

9. List again on 25th August, 2026 for final disposal.

(NEETU KHAJURIA)
ASSISTANT REGISTRAR-CUM-PS

(RANJANA SHAILEY)
ASSISTANT REGISTRAR