IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4739 OF 2026

Yohaan Abraham }
Age: 25, Residing at 501, Gitanjali Apartments, }
15th Road, Chembur, Mumbai 400 071. } … **Petitioner**

V/s.

1. Chhatrapati Shivaji Maharaj University }
Old, Mumbai – Pune Expressway, }
Near Panvel Toll Plaza, Panvel, }
Navi Mumbai, Maharashtra 410 221. }

2. Bar Council of India }
21, Rouse Avenue Institutional Area, }
Near Bal Bhawan, New Delhi – 110 002. } … **Respondents**

Ms. Aneesa Cheema a/w Mr. Rohan Marathe i/b Mr. Nihar Chitre for Petitioner.
Mr. Rui Rodrigues i/b Mr. Jainendra Sheth for Respondent no. 1.
Mr. Yogesh Naidu a/w Mr. Eden Seth i/b Mr. Prasad Gajbhiye for Respondent no. 2.

CORAM : R.I. CHAGLA AND
FARHAN P. DUBASH, JJ.

RESERVED ON : 8th JULY 2026
PRONOUNCED ON : 14th AUGUST 2026

JUDGMENT (Per Farhan P. Dubash, J.):

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1. By the present Writ Petition filed under Article 226 of the Constitution of India, the Petitioner challenges the communication dated 6th January 2026 issued by Respondent No. 1 – University cancelling his provisional admission to the three-year LL.B. course. The cancellation was, inter alia, on the ground that the Petitioner's three-year law degree obtained from Queen Mary University of London does not constitute a qualifying 'First Degree' for the purposes of seeking admission to the three-year LL.B. course in India.

BRIEF FACTS

2. Before adverting to the merits of the challenge, a brief narration of the facts, to the extent necessary for the adjudication of the reliefs sought in the present Writ Petition, is set out hereunder:

A. The Petitioner completed his Class X in 2017 and Class XII (ISC) in 2019 from St. Gregorios High School. He thereafter proceeded to the United Kingdom, where he completed a three-year undergraduate law degree from Queen Mary University of London, followed by the Legal Practice Course **("LPC")**.

B. The Petitioner contends that his foreign undergraduate law degree is recognised by Respondent No. 2 – Bar Council of India **("BCI")**, by placing reliance upon the BCI Notification dated 26th August 2020, and that he is consequently eligible to seek admission to the three-year LL.B. course conducted by Respondent No.1.

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C. The Petitioner accordingly applied for admission to the three-year LL.B. course and was granted provisional admission. He also paid an amount of Rs. 10,000/- towards tuition fees.

D. In the course of completing the documentation formalities, the Petitioner informed the University, by email dated 3rd September 2025, that he was unable to obtain an Equivalence Certificate from the University Grants Commission **("UGC")**, as according to him, the UGC does not issue such certificates in respect of professional law degrees obtained from foreign universities.

E. The Petitioner states that, on 27th October 2025, one Mr. Aurab Chakrabarty, Associate Professor of the University, informed him telephonically that his admission was subject to a clarification from the BCI or the Bar Council of Maharashtra and Goa as to whether his foreign undergraduate law degree would entitle him to pursue the three-year LL.B. course **("Impugned Condition")**. The Petitioner thereafter addressed an email dated 27th October 2025 to the University seeking confirmation of the said requirement.

F. The Petitioner simultaneously sought clarification from the BCI and the Bar Council of Maharashtra and Goa as to whether, on the basis of his foreign law degree, he would be eligible for enrolment as an Advocate and issuance of a Sanad. As no response was received from the BCI, the Petitioner addressed further communications on 4th November 2025, 5th December 2025, 16th December 2025, 29th December 2025 and 3rd January 2026.

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G. By communication dated 31st December 2025, the Bar Council of Maharashtra and Goa informed the Petitioner that the issue could be answered only by the BCI.

H. On 6th January 2026, the University informed the Petitioner by email **("Impugned Communication")** that his provisional admission stood cancelled. The Petitioner thereafter submitted a detailed representation seeking reasons for the cancellation and requesting the University to await the response of the BCI. No response having been received, the Petitioner has approached this Court.

3. It is in these circumstances that the Petitioner seeks, inter alia, a direction to the University to admit him to the three-year LL.B. course.

SUBMISSIONS OF THE PETITIONER

4. Ms. Aneesa Cheema, learned counsel appearing for the Petitioner, submits that the Impugned Communication dated 6th January 2026 is arbitrary, illegal and unsustainable. She submits that, after granting provisional admission, accepting the requisite documents and tuition fees and permitting the Petitioner to continue as a student for several months, the University abruptly cancelled his admission by a single-line communication, without issuing a show cause notice, disclosing the reasons for the proposed cancellation or affording him an opportunity of being heard.

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5. Ms. Cheema submits that the cancellation followed the University's imposition of the Impugned Condition requiring the Petitioner to obtain prior confirmation from the BCI or the Bar Council of Maharashtra and Goa that, upon completion of the three-year LL.B. course, he would be entitled to enrolment as an Advocate and issuance of a Sanad. According to her, this requirement was neither part of the prescribed admission criteria nor communicated to the Petitioner in writing and was disclosed only orally after provisional admission had already been granted. She submits that the University never denied having imposed such a condition, notwithstanding the Petitioner's repeated references to it in his correspondence.

6. She submits that the Impugned Condition has no statutory or regulatory basis. Neither the Advocates Act, 1961, the Rules of Legal Education, 2008 **("said Rules")** nor any regulation governing admission to the three-year LL.B. course authorises the University to require, at the stage of admission, a prior determination of the candidate's future entitlement to enrolment as an Advocate. She submits that such determination arises only upon completion of the requisite legal education and satisfaction of the statutory requirements applicable to enrolment.

7. Ms. Cheema relies upon the BCI Notification dated 26th August 2020, which, according to her, recognises the foreign law degree obtained by the Petitioner, Queen Mary University of London being included at Serial No. 14 thereof. She submits that the requirements contained in condition (ii)(b) of the Notification concerning a three-year LL.B. followed by a one-year whole-time LPC / Bar Vocational Course **("BVC")** and thereafter the

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prescribed period of service with a law firm or pupillage are satisfied in the Petitioner's case.

8. She further relies upon Rule 2(viii) of the said Rules, which defines 'First Degree' to include a Bachelor's Degree in any branch of knowledge or any other qualification awarded by an institution or authority recognised by the BCI. She submits that, since the Petitioner's foreign law degree is recognised by the BCI, it satisfies the requirement of a qualifying 'First Degree' for admission to the three-year LL.B. course.

9. She also relies upon Rule 37 and submits that the said Rule regulates recognition of foreign LL.B. degrees for the purpose of enrolment as an Advocate and does not require a candidate to obtain, before admission to the three-year LL.B. course, an advance determination by the BCI regarding his future enrolment.

10. Ms. Cheema submits that the University's conduct itself demonstrates the arbitrary manner in which the Petitioner's eligibility was dealt with. Initially, the University required an Equivalence Certificate from the UGC, upon being informed that such certificate was not issued in respect of professional law degrees, the University shifted its requirement and sought confirmation regarding the Petitioner's future entitlement to enrolment as an Advocate. She submits that the Petitioner made repeated efforts to obtain the clarifications sought, including from the BCI and the Bar Council of Maharashtra and Goa, but the BCI had not responded when the University cancelled his admission.

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11. She also relies upon the University's communications dated 17th November 2025, which, according to her, are mutually inconsistent – one communication extended the time for production of original documents until 24th November 2025, whereas another stated that the Petitioner's provisional admission stood cancelled with effect from 15th November 2025 for non-completion of documentary formalities. She submits that this further demonstrates the arbitrary manner in which the Petitioner's case was dealt with.

12. Ms. Cheema therefore submits that, having granted provisional admission and accepted the tuition fees, the University could not subsequently impose an additional condition unsupported by the statutory framework and cancel the Petitioner's admission without notice, reasons or an opportunity of hearing. She submits that the absence of reasons in the Impugned Communication itself prevented the Petitioner from knowing the precise deficiency on the basis of which his admission had been cancelled. The Impugned Communication is therefore stated to be arbitrary, unreasonable and violative of Article 14 of the Constitution of India and liable to be quashed and set aside.

13. Ms. Cheema therefore submits that the University, having granted provisional admission, validated the documents submitted by the Petitioner, accepted the tuition fees and treated him as a student for several months, could not thereafter, impose an additional condition unsupported by any statutory provision and cancel his provisional admission without notice, reasons or an opportunity of being heard. She submits that, in the absence of any reason recorded in the Impugned Communication, the

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Petitioner was not informed of the precise deficiency on the basis of which his provisional admission had been cancelled. She accordingly submits that the Impugned Communication is arbitrary, unreasonable, violative of Article 14 of the Constitution of India and liable to be quashed and set aside.

SUBMISSIONS OF RESPONDENT NO. 2

14. Mr. Yogesh Naidu, learned counsel appearing for Respondent No. 2 – BCI, submits that the Petitioner's educational qualifications demonstrate that he did not possess, prior to obtaining his foreign undergraduate law degree, a separate 'First Degree' in Arts, Science, Commerce, Management, Engineering, Medicine or any other non-law discipline.

15. He submits that, by an order dated 27th April 2026, this Court directed the BCI to address, inter alia, whether the requirement under Rule 37 concerning the two-year Bridge Course applies at the stage of admission to the three-year LL.B. course in India, and whether the Petitioner's foreign LL.B. degree is equivalent to a 'First Degree' for the purposes of Rule 5 and consequently renders him eligible for admission to the three-year LL.B. course.

16. Turning to the statutory framework, Mr. Naidu submits that Rule 37 governs the recognition of foreign law degrees for the purpose of enrolment as an Advocate and that the Qualifying Examination prescribed thereunder is a professional requirement, and not an admission test for the three-year LL.B. course in India. According to him, recognition of a

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foreign law degree for enrolment is subject to the conditions prescribed by the said Rules, including those concerning the duration and pattern of legal education and the Qualifying Examination.

17. Inviting our attention to Rules 40, 5(a), 4 and 2(xxxi) of the said Rules, Mr. Naidu submits that the Indian three-year LL.B. course is a second-stage, or 'Unitary Degree Course in Law', pursued after completion of a Bachelor's Degree in any discipline. The statutory pattern is therefore either 10 + 2 followed by graduation and thereafter the three-year LL.B. course, or 10 + 2 followed by the five-year integrated law course.

20. For convenience, Rule 40 of the said Rules is reproduced hereunder:

> *"40. Standard test for recognition.*
>
> *Recognition of Degree in law of a foreign University for the purpose of enrolment as Advocate in India would depend on the following criteria of standards that:*
>
> (i) *The degree in law shall be a second stage degree offered either after graduation from an approved University by the Bar Council of India for the purpose of admission in the course leading to Degree in Law in the Foreign University concerned; or shall be an integrated program offered after 10+2 or 11+1 school education.*
>
> (ii) *The course leading to the Degree in Law in the Foreign University concerned shall be at least for three years' duration if taken after graduation in the manner stated above, or shall be at least for five years' duration if undertaken in an integrated program as mentioned above.*
>
> (iii) *The course shall be a regular course of study undertaken in a University or Centre of Legal Education affiliated to a University, as the case may be.*

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> (iv) *The course shall contain, mutatis mutandis, subjects of studies which are prescribed as compulsory subjects by the Bar Council of India on the recommendation of the Centres of Legal Education from time to time in the LL.B. course of a recognised University in India for the purpose of enrolment."*

21. According to Mr. Naidu, although the United Kingdom permits a student to pursue a three-year undergraduate law degree immediately after school education, such a course is distinct from the Indian three-year LL.B. course, which is undertaken only after a prior Bachelor's Degree. According to him, the Bridge Course addresses the deficiency arising from the difference in the duration and pattern of legal education and is directed towards recognition of the foreign law degree for the purpose of enrolment as an Advocate. It does not, by itself, confer enrolment or render the foreign degree equivalent to an Indian LL.B. degree.

22. In support of this submission, Mr. Naidu relies upon the decisions of the Karnataka High Court in ***Karan Dhananjaya v. Bar Council of India***[1] and of the Delhi High Court in ***Mehak Oberoi v. Bar Council of India & Ors.***[2]. He submits that these decisions recognise the distinct purposes served by the Bridge Course and the Qualifying Examination in the context of recognition of foreign law degrees and subsequent enrolment as an Advocate. He also refers to the decision of the Punjab and Haryana High Court in ***Precious Kulwant Kelson v. Bar Council of India***[3], where the Petition was withdrawn without relief and the candidate thereafter appeared for the Qualifying Examination.

[1] 2024 : KHC : 46042
[2] Order dated 28th November 2024 passed in Writ Petition (C) No. 16445 of 2024
[3] CWP 32921 of 2024.

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23. Mr. Naidu then refers to the eligibility criteria prescribed for admission to the three-year LL.B. course. Relying upon Rule 5(a), read with Rules 4 and 2(xxxi) of the said Rules, he submits that a candidate seeking admission to the three-year LL.B. course must first have obtained a Bachelor's Degree in any discipline or an equivalent qualification recognised for the purpose. According to him, the Petitioner's three-year foreign undergraduate law degree, having itself been obtained immediately after Class XII, cannot be treated as the qualifying 'First Degree' without defeating the statutory distinction between the three-year LL.B. course and the five-year integrated law course.

24. He submits that the said Rules do not contemplate a student who has completed 10 + 2 and thereafter obtained a three-year foreign undergraduate law degree being permitted to treat that law degree as the Bachelor's Degree required for admission to another three-year LL.B. course in India. According to him, any such recognition would require the foreign qualification to be declared equivalent for the concerned purpose by the competent authority and to otherwise satisfy the statutory framework.

25. As regards recognition of foreign LL.B. degrees, Mr. Naidu submits that the Universities and courses notified by the BCI are institution-specific, course-specific and condition-specific. According to him, such recognition cannot be read as extending to every institution, constituent or affiliated college, campus, pathway, nomenclature or degree connected with a foreign University. He submits that, in the facts of the present case,

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the Petitioner's particular three-year undergraduate law degree obtained from Queen Mary University of London has not been shown to be a foreign LL.B. degree recognised by the BCI.

26. He further submits that, even assuming recognition of the Petitioner's foreign LL.B. degree, the same would have to satisfy the statutory pattern contemplated under Rules 37 and 40. A 10 + 2 + 3 foreign undergraduate law degree obtained immediately after Class XII does not, according to him, conform to the Indian 10 + 2 + 3 + 3 pattern. He submits that such deficiency is addressed only through the process prescribed by the BCI, including the Bridge Course and the Qualifying Examination, as applicable, and the foreign law degree cannot simultaneously be treated as an independent 'First Degree' for admission to the three-year LL.B. course.

27. Mr. Naidu then refers to the correspondence exchanged between the Petitioner and the BCI. He submits that the Petitioner had himself approached the BCI in connection with appearing for the Qualifying Examination and, in response to the BCI's queries, furnished particulars concerning the duration and nature of his foreign LL.B. degree and LPC. The BCI thereafter, by email dated 5th December 2024, permitted him to appear for the 21st Qualifying Examination scheduled from 14th to 19th December 2024. However, by email dated 9th December 2024, the Petitioner informed the BCI that he would be unable to appear for the said examination due to personal circumstances. He therefore submits that the Petitioner has not completed the process prescribed by the BCI for recognition of his foreign law degree for the purpose of enrolment as an Advocate.

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28. Mr. Naidu submits that the LPC pursued by the Petitioner does not cure the deficiency in his eligibility for admission to the three-year LL.B. course. According to him, the LPC is a postgraduate / professional qualification obtained after the foreign LL.B. degree and cannot retrospectively convert the Petitioner's 10 + 2 + 3 undergraduate law degree into the Indian pattern of 10 + 2 followed by graduation and thereafter the three-year LL.B. course. He adds that the LPC cannot dispense with the requirements under Rules 5(a) and 37.

29. Lastly, Mr. Naidu submits that, having regard to Sections 7(1)(h), 7(1)(i), 24 and 49 of the Advocates Act, 1961, the role of the BCI extends beyond academic equivalence and encompasses regulation of the qualifications required for entry into the legal profession. According to him, the Petitioner cannot treat his foreign LL.B. degree as a general undergraduate qualification for admission to the three-year LL.B. course while, at the same time, seeking to avoid the regulatory framework prescribed by the BCI for recognition of foreign law degrees for enrolment as an Advocate.

ANALYSIS, REASONS & FINDINGS

30. We have heard the parties at length. Although detailed oral submissions have been advanced, we find that the controversy lies within a relatively narrow compass. The principal question which arises for consideration is whether the Petitioner's three-year undergraduate law degree obtained from Queen Mary University of London, having been recognised, or

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stated to be recognised by the BCI for the purposes contemplated under the applicable regulatory framework, can also be treated as the antecedent 'First Degree' required for admission to the three-year LL.B. course in India. The answer would necessarily depend upon the true import and interplay of the Advocates Act, 1961; the Rules of Legal Education, 2008 **("said Rules")** and the BCI Notification dated 26th August 2020.

31. The Advocates Act, 1961 entrusts the BCI with, inter alia, the responsibility of promoting legal education, laying down standards of such education and recognising Universities whose degrees in law would constitute a qualification for enrolment as an Advocate. Sections 7(1)(h) and 7(1)(i), insofar as relevant, read thus:

> *"Section 7(1)(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;*
>
> *Section 7(1)(i) – to recognise Universities whose degree in law shall be a qualification for enrolment as an advocate and for that purpose to visit and inspect Universities."*

32. The aforesaid provisions make it clear that the BCI is the statutory authority entrusted with prescribing standards of legal education and recognising Universities whose degrees in law would qualify a candidate for enrolment as an Advocate. The exercise of such power is therefore directed towards maintaining standards of legal education and regulating entry into the legal profession.

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33. Section 24 of the Advocates Act, 1961 prescribes the qualifications necessary for enrolment as an Advocate and inter alia, recognises a degree in law obtained from a University recognised by the BCI as one of the requisite qualifications. Section 49 empowers the BCI to make Rules for discharging its functions under the Act. The said Rules have accordingly been framed to regulate standards of legal education, courses of law, eligibility for admission and recognition of degrees in law, including degrees obtained from foreign Universities.

34. The statutory scheme must therefore be kept in mind while examining the Petitioner's claim. At the same time, it is necessary to distinguish between two stages which are sought to be placed together by the rival submissions: *first*, eligibility for admission to the three-year LL.B. course in India; and *second*, recognition of a foreign law degree for the purpose of enrolment as an Advocate in India. The fact that a qualification may be recognised for the latter purpose does not, without more, answer the question whether the same qualification satisfies the antecedent educational requirement for admission to the former course.

35. It would first be necessary to consider the relevant definitions contained in Rule 2 of the said Rules. Whilst Rule 2(vi) defines *"Bachelor degree in law"*, Rule 2(viii), in turn, defines *"First Degree"* in the following terms:

> *"**2. Definitions:***
>
> *2. (vi) "Bachelor degree in law" means and includes a degree in law conferred by the University recognized by the Bar Council of India for the purpose of the Act and includes a bachelor degree in law after any bachelor degree in science, arts, commerce, engineering, medicine, or any other*

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> *discipline of a University for a period of study not less than three years or an integrated bachelor degree combining the course of a first bachelor degree in any subject and also the law running together in concert and compression for not less than a period of five years after 10+2 or 11+1 courses as the case may be.*
>
> *2. (viii) "First Degree" means Bachelor Degree in any branch of knowledge such as Arts, Fine Arts, Science, Commerce, Management, Medicine, Engineering, Pharmacy, Technology etc. conferred by Universities or any other qualifications awarded by an institution/authority recognized by the Bar Council of India, from time to time."*

36. Rule 2(xxxi) defines a *"Unitary Degree course in law"* as a three-year degree course in law prosecuted by a student after completing a Bachelor Degree course in any discipline. Rule 4(a) similarly provides that there shall be a three-year degree course in law undertaken after obtaining a Bachelor's Degree in any discipline of studies from a University or any other qualification considered equivalent by the BCI. Rule 5(a), which specifically deals with eligibility for admission to the three-year law degree course, provides that an applicant who has graduated in any discipline of knowledge from the specified categories of Universities or possesses the requisite equivalent qualification may apply for the three-year degree programme in law. The same are reproduced hereunder:

> *2. (xxxi) "Unitary Degree course in law" means three years degree course in law prosecuted by a student after completing a bachelor degree course in any discipline.*
>
> *"4. Law courses*
> *There shall be two courses of law leading to Bachelors Degree in Law as hereunder*

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> *(a) A three year degree course in law undertaken after obtaining a Bachelors' Degree in any discipline of studies from a University or any other qualification considered equivalent by the Bar Council of India. Provided that admission to such a course of study for a degree in law is obtained from a University whose degree in law is recognized by the Bar Council of India for the purpose of enrolment."*

> *"5. Eligibility for admission:*
>
> *(a) Three Year Law Degree Course: An applicant who has graduated in any discipline of knowledge from a University established by an Act of Parliament or by a State legislature or an equivalent national institution recognized as a Deemed to be University or foreign University recognized as equivalent to the status of an Indian University by an authority competent to declare equivalence, may apply for a three years' degree program in law leading to conferment of LL.B. degree on successful completion of the regular program conducted by a University whose degree in law is recognized by the Bar Council of India for the purpose of enrolment."*

37. The provisions thus consistently contemplate a sequence – an applicant must first possess a qualifying graduation-level qualification and thereafter pursue the three-year degree course in law. This is not merely a requirement as to the nomenclature of the qualification. It reflects the very structure of the three-year LL.B. course as a second-stage professional law degree.

38. This interpretation is also borne out by Rule 2(vi), which expressly refers to a degree in law obtained *"after any bachelor degree"* in Science, Arts, Commerce, Engineering, Medicine or any other discipline, while separately recognising an integrated five-year course after the 10 + 2

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stage. Rule 2(xxxi) reinforces the same distinction by defining the three-year law course as one pursued after completion of a Bachelor's Degree.

39. In the present case, the Petitioner, admittedly, did not obtain a Bachelor's Degree in any discipline before undertaking his three-year law degree from Queen Mary University of London. His three-year law degree was commenced immediately after completion of Class XII and constituted his first undergraduate qualification.

40. The Petitioner's principal submission is founded upon the words *"any other qualifications awarded by an institution/authority recognized by the Bar Council of India"* occurring in Rule 2(viii). According to him, since the BCI recognises his foreign law qualification, that qualification falls within the definition of 'First Degree' and satisfies the requirement for admission to the three-year LL.B. course.

41. We are unable to accept this construction. The definition contained in Rule 2(viii) cannot be read in isolation from the provisions which prescribe the nature and structure of the three-year law degree. The expression 'First Degree' must be understood in the context of the statutory scheme in which it occurs. If every qualification recognised by the BCI, including a professional law degree which itself is intended to constitute a degree in law, were to be treated as the antecedent 'First Degree' for purposes of Rule 4(a) and Rule 5(a), the distinction expressly maintained by the said Rules between the antecedent Bachelor's Degree and the subsequent three-year law degree would be rendered substantially meaningless.

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42. The Petitioner's construction would lead to a further incongruity. A student who completes Class XII and thereafter obtains a three-year undergraduate foreign law degree would, on the Petitioner's interpretation, acquire a qualification which could simultaneously operate as the 'First Degree' for admission to a further three-year LL.B. course and as the law degree for the purposes of recognition and enrolment. However, the Rules contemplate the three-year LL.B. as a second-stage law qualification following an antecedent Bachelor's Degree, while the route available to a student proceeding directly after Class XII is the integrated five-year law course.

43. We therefore find that the Petitioner's foreign undergraduate law degree, merely by reason of its recognition by the BCI for the purposes contemplated under the applicable regulatory framework, cannot be treated as the antecedent 'First Degree' required under Rules 2(xxxi), 4(a) and 5(a) for admission to the three-year LL.B. course in India.

44. This brings us to Rule 37 of the said Rules, which deals specifically with a degree in law obtained by an Indian citizen from a foreign University. Rule 37 provides as under:

> *"37. Degree of a Foreign University obtained by an Indian citizen. If an Indian national having attained the age of 21 years and obtains a degree in law from a Foreign University such a degree in law can be recognized for the purpose of enrolment on fulfilment of following conditions:*
>
> (i) *completed and obtained the degree in law after regularly pursuing the course for a period not less than three years in case the degree in law is obtained after graduation in any branch of knowledge or for a period of*

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not less than five years if admitted into the integrated course after passing + 2 stage in the higher secondary examination or its equivalent; and

(ii) *the University is recognized by the Bar Council of India and candidate concerned passes the examination conducted by the Bar Council of India in substantive and procedural law subjects, which are specifically needed to practice law in India and prescribed by the Bar Council of India from time to time as given in the schedule XIV. Provided that those who joined LL.B. course in a recognized Foreign University prior to 21st February 2005 the date of notification in this regard by the Bar Council of India need not seek for such examination, other aforesaid condition remain same. Provided the same privilege shall be also extended to Persons of Indian Origin having double citizenship in India."*

45. Rule 37 is also significant for another reason. It expressly distinguishes between a three-year foreign law degree obtained after graduation in another branch of knowledge and an integrated law course undertaken after the + 2 stage. The distinction in the stage at which the law course is undertaken is therefore embedded not merely in the provisions governing admission in India but also in the provisions governing recognition of foreign law degrees for enrolment.

46. We are however, not required in the present Petition to finally determine the Petitioner's entitlement to enrolment as an Advocate under Rule 37. That question would arise at the stage and in the proceedings contemplated by the statutory framework governing enrolment. What falls for determination before us is whether the Petitioner's foreign undergraduate law degree can serve as the qualifying First Degree for

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admission to the three-year LL.B. course. For the reasons already recorded, it cannot.

47. This also answers the first issue on which the BCI was directed to file its affidavit. The Bridge Course, insofar as it forms part of the regulatory mechanism for recognition of foreign law degrees for the purpose of enrolment, does not become an independent eligibility requirement for admission to the three-year LL.B. course in India. At the same time, the fact that a Bridge Course may cure or address a deficiency in the duration or pattern of legal education does not alter the character of the Petitioner's foreign law degree so as to make it the antecedent First Degree contemplated by Rules 2(xxxi), 4(a) and 5(a).

48. In other words, the question whether the Petitioner is required to undergo a Bridge Course for the purpose of eventual enrolment is distinct from the anterior question, namely, whether he possesses the qualification required to commence the three-year LL.B. course in India. The answer to the former cannot be used for the latter.

49. Next, let us consider the Notification dated 26th August 2020 upon which considerable reliance has been placed by the Petitioner. The relevant conditions contained therein read thus:

> *"List of Foreign Universities Whose Degrees in law Recognized By the Bar Council of India*
> *As on 26.8.2020*
>
> *Conditions:*
>
> *The Degrees in law from the following Universities in abroad enjoy recognition by the Bar Council of India provided:*

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(i) *The students have undergone a regular law course after graduation in the pattern of 10+2+3+3 or a 5 year course in the pattern of 10+2+5.*

(ii) *The following conditions are applicable for all Universities in abroad*

a) *Three years' LLB degree only if taken after a three years' bachelor degree course in any subject (that is after obtaining BA/BSc /BCom/BBA); or*

b) *Three Years' LL.B. course followed immediately by 1 year whole time LPC/BVC and followed by a contract of service with a Law Firm for two years to be entitled to be enrolled as a solicitor or take pupillage for a year in a Chamber of a qualified Barrister to be a Master, or*

c) *Four Years of LLB jointly with another subject like Finance, Accounts, Management or a Language to be immediately followed by one year full time LPC/BVC from a College of Inns of courts/ Solicitors Society or a Master degree in Law."*

50. The Petitioner relies particularly upon Serial No. 14 of the Notification, where Queen Mary University of London admittedly appears and submits that such recognition necessarily establishes that his foreign law degree constitutes a recognised First Degree for the purposes of admission to the three-year LL.B. course in India.

51. This submission cannot be accepted. The Notification must be read in the context of the purpose for which the BCI is empowered to recognise foreign law degrees and the conditions expressly attached to such recognition. It does not purport to amend, override or enlarge the

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eligibility criteria contained in Rules 4 and 5 for admission to the three-year LL.B. course in India.

52. Indeed, the conditions set out in the Notification themselves reinforce the distinction which we have already noticed. The first condition refers to a regular law course "after graduation" in the 10 + 2 + 3 + 3 pattern, while condition (ii)(a) specifically refers to a three-year LL.B. degree "only if taken after" a three-year Bachelor's Degree. The Notification therefore cannot be construed as conferring a general equivalence between every three-year foreign undergraduate law degree and the antecedent Bachelor's Degree contemplated by Rules 4(a) and 5(a).

53. As regards condition (ii)(b), relied upon by the Petitioner, the same contemplates a three-year LL.B. course followed by the LPC / BVC and the further professional requirements specified therein. That condition operates within the regulatory framework governing recognition of the foreign law qualification and the subsequent professional entitlement contemplated by the Notification. It does not state that a three-year undergraduate law degree obtained immediately after Class XII shall, for purposes of admission to an Indian three-year LL.B. course, be treated as the Bachelor's Degree required under Rule 5(a).

54. The Notification dated 26th August 2020 must therefore be given effect according to its terms. It may establish recognition of specified foreign law qualifications subject to specified conditions; it does not dispense with the separate eligibility requirement for admission to the Indian three-year LL.B. course. Recognition of the Petitioner's foreign law degree for one statutory purpose cannot, by implication, confer eligibility for

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another distinct statutory purpose. Resultantly, the Petitioner's reliance on the Notification dated 26th August 2020 including, inter alia, on condition (ii) (b) thereof, cannot be accepted.

55. Let us now consider the correspondence exchanged between the Petitioner and the BCI. The Petitioner had approached the BCI in connection with appearing for the Qualifying Examination. Upon the BCI seeking particulars regarding the nature and duration of his foreign LL.B. degree and LPC, the Petitioner furnished the requisite information. The BCI thereafter, by email dated 5th December 2024, permitted him to appear for the 21st Qualifying Examination scheduled from 14th December 2024 to 19th December 2024. By email dated 9th December 2024, however, the Petitioner informed the BCI that he would be unable to appear for the said examination due to personal circumstances.

56. This correspondence is relevant, but not determinative, of the issue before us. It demonstrates that the Petitioner's foreign law qualification was being considered within the regulatory mechanism applicable to foreign law degrees and enrolment. It does not, however, amount to a determination by the BCI that the Petitioner's foreign law degree constitutes the antecedent First Degree required for admission to the three-year LL.B. course in India.

57. It is also relevant that despite exchanging correspondence with the BCI, the Petitioner has not disclosed this in the petition. A party, especially one who invokes the discretionary and extraordinary jurisdiction of the writ court is under a corresponding obligation to disclose fully and fairly all

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material facts, including those which may not support his own case. The duty of candour extends not merely to facts favourable to the Petitioner but equally to facts and documents which may have a bearing upon the exercise of judicial discretion. Suppression or selective disclosure strikes at the very root of the equitable jurisdiction exercised by the Court. It is equally well settled that a material fact is one which would influence the mind of the Court while deciding whether or not to exercise its discretionary jurisdiction. The test is not whether the suppressed document conclusively defeats the Petitioner's case, but whether it is relevant and material to the controversy requiring adjudication. If the answer is in the affirmative, non-disclosure assumes significance irrespective of the explanation subsequently sought to be offered.

58. Equally, the Petitioner's failure to appear for the Qualifying Examination cannot, by itself, furnish the basis for denying him admission to the three-year LL.B. course. The question of the Qualifying Examination arises in the context of recognition and enrolment. The Petitioner's eligibility for admission must be determined independently under Rules 4 and 5, as already discussed above.

59. We have considered the decisions relied upon by the BCI. However, for the reasons set out below, the same are not applicable to the facts of the present Writ Petition. In ***Karan Dhananjaya*** (supra), the Karnataka High Court was concerned with an Indian national who had completed a three-year foreign law degree immediately after Class XII, thereafter completed the prescribed Bridge Course and sought enrolment as an Advocate. The controversy before the Court concerned the requirement of a further

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Qualifying Examination after completion of the Bridge Course. The decision was therefore rendered in the context of enrolment and recognition of a foreign law degree and not the eligibility of such candidate for admission to a further three-year LL.B. course in India. The said decision does not, therefore, determine the issue arising before us.

60. Likewise, ***Mehak Oberoi*** (supra) involved regulatory requirements applicable to a candidate who had obtained a foreign law degree, completed a Bridge Course and thereafter sought relief in relation to the Qualifying Examination. The decision explains the distinct purposes served by the Bridge Course and the Qualifying Examination. It does not hold that completion of a Bridge Course converts a foreign undergraduate law degree into the antecedent First Degree required for admission to the Indian three-year LL.B. course.

61. Insofar as ***Precious Kulwant Kelson*** (supra) is concerned, the Petition therein was permitted to be withdrawn without adjudication on the merits. The said order, therefore, does not lay down any proposition which assists in determining the controversy before us.

62. Accordingly, we now turn to the Petitioner's challenge to the Impugned Communication on the ground of violation of the principles of natural justice. The principal grievance is that the University, after granting provisional admission and accepting tuition fees, cancelled the admission by a brief communication without issuing a show cause notice, assigning reasons or affording an opportunity of hearing.

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63. There is some substance in the Petitioner's grievance that the Impugned Communication, viewed in isolation, does not set out the reasons for cancellation. However, the Petitioner's admission was expressly provisional and subject to verification of his eligibility. The correspondence placed on record also demonstrates that the issue concerning the Petitioner's foreign law degree and its sufficiency for admission had been raised prior to cancellation and was known to the Petitioner. He had, in fact, addressed repeated communications to the University and the BCI in relation thereto.

64. More importantly, the eligibility issue before us turns upon the Petitioner's undisputed educational qualifications and the interpretation of the statutory provisions. There is no factual dispute which a further opportunity of hearing could alter. We have independently examined the statutory framework and have concluded that the Petitioner's foreign undergraduate law degree does not constitute the antecedent 'First Degree' required for admission to the three-year LL.B. course.

65. In these circumstances, even assuming that the procedure adopted by the University was not ideal, we do not consider that the appropriate consequence would be to remit the matter to the University for a fresh hearing. Such a course would serve no useful purpose when, on the undisputed facts and the statutory scheme, the Petitioner does not satisfy the eligibility requirement for admission. A provisional admission or acceptance of tuition fees cannot confer an entitlement contrary to the governing statutory framework.

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66. We also find no merit in the submission that the University, by initially seeking an Equivalence Certificate from the UGC and subsequently seeking clarification from the BCI, somehow altered the statutory requirements applicable to the Petitioner. Whatever may have been the sequence or nature of the administrative communications, the Petitioner's eligibility had ultimately to be determined in accordance with the said Rules. Administrative correspondence cannot confer an eligibility which the statutory framework does not recognise.

67. It is equally unnecessary for us to determine whether the University was justified in insisting, as a condition of admission, upon an advance confirmation from the BCI regarding the Petitioner's future enrolment as an Advocate. If the Petitioner's qualification does not satisfy the antecedent eligibility requirement for admission to the three-year LL.B. course itself, the validity or otherwise of such additional condition does not alter the result of the Petition.

68. For the reasons recorded above, we hold that the Petitioner's three-year undergraduate law degree obtained from Queen Mary University of London cannot, merely by reason of its recognition by the BCI for the purposes contemplated under the regulatory framework governing foreign law degrees, be treated as the qualifying 'First Degree' for admission to the three-year LL.B. course in India. The BCI Notification dated 26th August 2020 does not lead to a different conclusion.

69. Consequently, the Petitioner has failed to establish that he possessed the requisite qualification for admission to the three-year LL.B. course

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conducted by Respondent No.1 – University. The Impugned Communication dated 6th January 2026 cancelling his provisional admission, therefore, does not warrant interference in exercise of our writ jurisdiction under Article 226 of the Constitution of India.

70. The Writ Petition is accordingly dismissed. There shall be no order as to costs.

(FARHAN P. DUBASH, J.) (R.I. CHAGLA, J.)

71. After the judgment was pronounced, Ms. Aneesa Cheema, learned Counsel who appears for the Petitioner requests a clarification that this Judgment should not come in the way of Petitioner, if he chooses to apply for admission to the Bridge Course and/or the Qualification Examination. It is accordingly clarified that the Judgment shall not come in the way of the Petitioner, if he so chooses to pursue the aforesaid.

(FARHAN P. DUBASH, J.) (R.I. CHAGLA, J.)

Amol

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