



2026 INSC 1117

NON-REPORTABLE

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO. 13122 OF 2026
(ARISING OUT OF SLP (C) NO.12783 OF 2026)**

STUTI SHARMA

... APPELLANT(S)

VERSUS

**MANAV BHARTI UNIVERSITY (MBU) ...RESPONDENT(S)
AND OTHERS**

J U D G M E N T

AUGUSTINE GEORGE MASIH, J.

1. Leave granted.
2. The Appellant has preferred this appeal seeking release of her marksheets of the 7th to 10th semester and her degree in law, having completed the BA.LLB programme, batch of

2016-2021, at Manav Bharti University (“University”). The Appellant assails the order dated 07.01.2025 passed by the High Court of Himachal Pradesh at Shimla (“High Court”) in CWP No.4620 of 2024.

3. The Appellant took admission in the five-year BA.LLB course in the Department of Law of MB University under Admission No.R16BALLB0050 and Registration No.MBU-2016-0417 for the session 2016-2021. She was issued Bonafide Certificates dated 26.05.2018 and 02.08.2021, a hostel identity card for the session July 2016 to June 2017, and the Detailed Marks Certificates of the 1st to 6th semesters. By letters dated 02.08.2021, The university also certified her subject-wise grade points in the 8th and 9th semesters.
4. On a complaint regarding the alleged sale of degrees by the university, several cases came to be registered against its then administration, and its records were seized in the course of investigation. In the meanwhile, the Detailed

Marks Certificates of the Appellant for the 7th to 10th semesters and her degree were not issued.

5. On a letter addressed by the students of the university to the Chief Justice of the High Court, CWPIIL No.22 of 2022 came to be registered. In pursuance of the order of the High Court dated 01.08.2022, a Document Verification Committee (“the Committee”) was constituted by the State Government under the chairmanship of the Superintendent of Police, Solan, which laid down parameters for verification, including whether the record of the student was reflected in the Green Register and in the Admission Disclosure List sent to the Himachal Pradesh Private Educational Institutions Regulatory Commission (“HP-PERC”).
6. By its letter dated 19.09.2023, the university informed the Appellant that, though her name was reflected in the Green Sheet Register for the session 2016-2017, it was not reflected in the admission disclosure list provided by the Special Investigation Team, and that her

marksheets, degree and other documents could not, therefore, be issued or verified. Aggrieved, the Appellant approached the High Court by filing CWP No.4620 of 2024, seeking issuance of her degree, the marksheets of the 7th to 10th semesters, and other documents including the Character Certificate and the Migration Certificate.

7. In the meanwhile, CWPII No.22 of 2022 came to be disposed of by order dated 20.12.2024, with the observation that the High Court was not in a position to determine the disputed questions of fact arising from the status of the students placed on record by the university, and that it would be open to the students to approach the competent court of jurisdiction. On 07.01.2025, the High Court disposed of the writ petition of the Appellant by making the said order applicable *mutatis mutandis*. Aggrieved, the Appellant has approached this Court.
8. The learned counsel on behalf of the Appellant submits that she regularly attended classes, paid all fees, and appeared in and passed all

semester-wise examinations, and that her name is reflected in the Green Sheet Register maintained by the university. It was the duty of the university to forward her record to HP-PERC for inclusion in the Admission Disclosure List, a matter over which she had no control. Reliance has been placed on the decision of this Court in ***Pratima Das v. State of Himachal Pradesh & Ors.***¹, rendered on 06.01.2026 in an appeal arising out of the order dated 20.12.2024 passed in CWPIL No.22 of 2022, to contend that the Appellant stands on the same footing.

9. It is further submitted that, in the absence of her degree, the Appellant has not been able to enrol herself with the State Bar Council, pursue higher education, sit for competitive examinations, or secure employment, and that relegating her to a civil court would only prolong the deprivation suffered by her for no fault of hers.
10. Respondent No.5, the Superintendent of Police, Solan, who chairs the Committee, submits that

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the role of the Committee is confined to verification and supply of documents to the university, that the record available with it is in photocopies and in digital form as the original record are with the trial courts, and that it was not entrusted to create, alter or correct any document of the University. It is further submitted that the Appellant was enrolled in student registration register for the session of 2016-2021, but her name was not sent to HP-PERC and instead under her registration number, name of Mr. Pankaj Mukar was submitted. Lastly, it is submitted that there is discrepancy in the grades of marksheets earlier issued to the Appellant.

11. The university, Respondent No.1 herein, in its counter affidavit filed before this Court, has stated as follows:-

“1) That the as per allotted seats Petitioner took admission in the BA.L.L.B. Course with Respondent No. 1 vide admission No. R16BALLB0050 and Registration No. MBU-2016-0417 for the Academic session of 2016-21.

2) That the it is submitted on behalf of the Respondent No. 1 that, Petitioner has cleared

exams from 1st to 10th Semesters and Petitioner has been issued DMC'S from 1st Semester to 6th Semesters.

3) That the name of the Petitioner's is duly reflected in the University's 'Green Sheet Register'/Admission Register, which is the primary internal Record maintain by the University. However, due to a clerical and inadvertent human error, by the previous administration of the University Petitioner's name was not included in the admission disclosure list sent to the HP-PERC, and instead, the name of Mr. Pankaj Kumar was mistakenly forwarded.

4) That the as per the University record Mr. Pankaj Kumar had independently taken the admission in the year 2015 under Admission No. R15BALLB0026 and Registration No. MBU-2015-0718 for the academic session 2015-2020 and therefore, his inclusion in place of the Petitioner was a clerical mismatch and not a substitution or deletion of the Petitioner's actual admission.

5) That the it is also submitted on the behalf of the Respondent No. 1, that, copy of gazette shows zero (0) in total grade point column of 1st, 3rd, 4th, and 5th semester result. As per entry made on green sheet petitioner has been issued first to six semesters DMCs, wherein 1st and 2nd semesters marks show 6.27/10 and 5.54/10 respectively in gazette, whereas there is DMCs entry 6.00/10 and 6.34/10 entered in green sheet, which is mismatch. In view of the above, her documents cannot be verified."

12. As is evident from the above-quoted portion of the affidavit, the university has admitted that

the Appellant took admission in the BA.LLB course as per the allotted seats under Registration No.MBU-2016-0417 for the academic session 2016-2021, and that she has cleared the examinations of the 1st to 10th semesters, the Detailed Marks Certificates of the 1st to 6th semesters having already been issued to her. It has affirmed that the name of the Appellant is duly reflected in the Green Sheet Register, which is the primary internal record maintained by the university. It is further stated that, due to a clerical and inadvertent human error on the part of its previous administration, the name of the Appellant was not included in the admission disclosure list sent to HP-PERC, and the name of one Mr. Pankaj Kumar was mistakenly forwarded instead.

13. It has further been brought on record that Mr. Pankaj Kumar had independently taken admission in the year 2015 for the academic session 2015-2020 under a different admission and registration number, and that his inclusion in place of the Appellant was a clerical mismatch and not a substitution or deletion of

the actual admission of the Appellant. The counter affidavit of Respondent No.5 is to the same effect, recording that the Appellant was found enrolled in the student registration register for the session 2016-2021, and that the name of Mr. Pankaj Kumar was submitted against her registration number in place of hers.

14. From the perusal of above-quoted affidavit and the documents on record, it is undisputed that the Appellant was a bona fide student of the university, admitted against an allotted seat, who appeared in and cleared all her examinations. The exclusion of her name from the admission disclosure list is, on the university's own admission, a clerical error at its own end in which the Appellant had no part, and the Appellant cannot be made to bear its consequences and suffer.
15. As far as the discrepancy between the copies of the result gazette and the Green Sheet in respect of the earlier semesters is concerned, the discrepancy so pointed out relates to semesters for which the Detailed Marks

Certificates were already issued to the Appellant by the university in the normal course. It is not the case of either respondent that the Appellant failed in any examination. The university has, on the contrary, affirmed on affidavit that she cleared all the examinations of the 1st to 10th semesters. Further, the writ petition filed by the Appellant was limited to the prayer of releasing her marksheets of 7th to 10th semester, character certificate, migration certificate and Degree. Hence, the discrepancy in marksheets earlier issued to her by the university are neither relevant nor subject matter of present appeal.

16. Having regard to the above facts established on the record, we are of the view that the Appellant has been deprived of her documents for no fault of hers for a substantial period of time, and that relegating her to a court of competent jurisdiction, as observed by the High Court vide the impugned order dated 07.01.2025, is not called for, as no factual dispute survives as to her entitlement.

17. In view of the above, the appeal is allowed, and the impugned order dated 07.01.2025 is set aside qua Appellant. The university is directed to issue the marksheets of the 7th to 10th semesters, the degree, and any other relevant documents, including the Character Certificate and the Migration Certificate, to the Appellant within four weeks from the receipt of this judgment.
18. There shall be no order as to cost.
19. Pending application(s), if any, also stands disposed of.

.....J.
[VIKRAM NATH]

.....J.
[AUGUSTINE GEORGE MASIH]

.....J.
[SANDEEP MEHTA]

**NEW DELHI;
SEPTEMBER 24, 2026.**