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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.172 OF 2010

Sachin Dhyandev Satpute

..Petitioner.

V/s.

The State of Maharashtra & Ors.

..Respondents.

Mr.Vishal Patil for the petitioner.

Mr.V.S.Gokhale, AGP for the respondent No.1.

Mr.Rajendra Anbule for the respondent No.3.

Mr.Pratap patil for the respondent No.6.

Mr.I.M. Khairdi for the respondent No.7

**CORAM : A.S.OKA AND
A.K. MENON, JJ.**

DATED : 27TH FEBRUARY, 2015

P.C. :-

1. Heard the learned counsel appearing for the petitioners and the learned counsel appearing for various respondents. The first substantive prayer made in this petition is prayer clause (b), which reads as under:-

“This Hon'ble Court be pleased to issue writ of mandamus or a writ, order or direction in the nature of writ of mandamus, or any other appropriate writ, order or direction, thereby directing the Respondent Nos.1 to 3, particularly the Respondent No.1 State of Maharashtra to take immediate necessary steps for following the guidelines issued by the Hon'ble Supreme Court dated 16th May, 2007 in SLP No.24295 of 2006 University of Kerala V/s. Council Principals Colleges Kerala and others (with SLP No.24296-99 of 2004 and WP (Cri) 173 of 2006 and SLP No.14356 of 2005), for prohibition of ragging activities in various colleges in Pune city”

2. On the basis of the directions issued by the Apex Court, the State Government issued a Government Resolution dated 18th July, 2007. The State Government recorded in the said Government Resolution that the directions of the Apex Court under the order dated 16th May, 2007 are required to be implemented and, therefore, a direction was issued under the said Government Resolution that the relevant directions of the Apex Court under the said order should be brought to the notice of all educational institutions and colleges.

3. As far as all the respondents, except the State Government are concerned, there are affidavits filed on record in which it is stated that steps have been taken to comply with the directions of the Apex Court.

4. On 8th December, 2014, this petition was adjourned to deal with the issue whether the State Government has issued any specific order directing compliance of the directions of the Apex Court in relation to the colleges run by the State Government. Directions of the Apex Court on 16th May, 2007 are applicable to all colleges and educational institutions, including the colleges and institutions of the State Government. Therefore, the State Government is under an obligation to implement the directions of the Apex Court in relation to all the colleges run by it.

5. We propose to grant a reasonable time to the State Government to file an affidavit of compliance.

06. As compliance affidavits have been filed by all concerned, except the State of Maharashtra, at this stage, it is not necessary to consider the prayer clause (c). If the petitioner finds that there is non compliance of the directions issued by the Apex Court by any of the institutions or colleges, the petitioner can always file an appropriate proceedings in accordance with law.

7. We , therefore, dispose of the petition by passing the following order :-

- (i) We accept the statements made on affidavits filed by the respective respondents;
- (ii) We direct the State Government to comply with the directions issued by the Apex Court on 16th May, 2007 in relation to the colleges of the State Government;
- (iii) An affidavit of compliance shall be filed by the State Government on or before 8th June, 2015.
- (iv) The petition is disposed of with the above directions;
- (v) For considering the compliance affidavit, the petition shall be listed on 15th June, 2015 under the caption 'directions'.

(A.K.MENON, J.)

(A.S.OKA, J.)