

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2357 OF 2014
IN
WRIT PETITION NO. 8081 OF 2014

Kedar Pandurang Ganpat and ors. .. Applicants/Petitioners
vs.
Pandit Shankar Kedar and ors. .. Respondents

Mr. P.B. Shah i/b Kayval P. Shah for the Applicants/ Petitioners.
Ms Deepa Matwankar for Respondent Nos.1 to 3.
Ms Aparna Vhatkar, AGP for Respondent No.4.

CORAM : M. S. SONAK, J.
DATE : 21 JANUARY, 2015

P.C. :-

1] Rule has already been issued in this petition. Liberty was granted to the petitioners to take out a separate application for interim relief.

2] The petitioners, by this civil application for interim relief, seek permission to appoint teachers in the educational institution run by the petitioners' trust.

3] Learned counsel for respondent Nos.1 to 3, who are original complainants and at whose behest, the impugned order has been passed, states that said respondents will have no objection if such interim relief is granted provided the petitioners follow due

procedure of law in the matter of making appointments of teachers. Learned counsel expressed apprehension that in case no restrictions are imposed, the petitioners might make appointments by way of nepotism and in breach of rules and regulations.

4] Learned counsel for the applicants/petitioners submitted that the Selection Committee, which selects teachers comprise *inter alia* representative of University of Pune. Besides, learned counsel submits that the petitioners will scrupulously comply with the provisions of law as applicable in the matter of making of appointments. Such assurances, which are accepted, should allay the apprehensions expressed by learned counsel for respondent Nos.1 to 3.

5] Accordingly, by way of interim relief, the petitioners trust is permitted to make appointments of teachers by complying with the provisions of law, rules and regulations as applicable. In every case, the petitioners trust should ensure that the representative of University of Pune is actually present in the Selection Committee, when the selection process is undertaken. In so far as the appointments of teachers in school is concerned, the petitioners

trust should ensure that there should be a representative of Education Department in the Selection Committee.

6] In view of the expedition order already made, place the main petition on the final hearing board in the week commencing from 23 March 2015.

7] This is to record that since the original papers of this case are not traceable, the applicants/petitioners have handed in a xerox set of the case. On the basis of same, the Registry to reconstruct the file.

8] Civil Application is disposed of in the aforesaid terms.

(M. S. SONAK, J.)

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