

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

962 WRIT PETITION NO. 10342 OF 2015

DILIP NARAYANRAO PATIL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Patil Vinod Prakash

AGP for Respondents State: Mr. V. H. Dighe

Advocate for respondent No.3: Mr. D. B. Pawar

Advocate for respondent No.4 : Mr. S.G. Chapalgaonkar

Advocate for Respondents 5 & 6: Mr. H. A. Joshik

Advocate for respondent No.3: Mr. D. B. Pawar

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 2nd September, 2016

ORDER:

1. Mr. Patil, the learned counsel for the petitioner states that the petitioner is one of the members of respondent No.5. According to the petitioner, appointment of Respondent No.6 as a Principal is illegal and not in consonance with the norms. Forged and fabricated documents are prepared by respondent No.6 in collusion with the authorities i.e. respondent No.5. Representation is given to respondent No.3 University Grant Commission (UGC) to enquire into the matter, however, no steps are taken by the UGC. Representation was given on 3rd December, 2014. According to the learned counsel, the UGC may be directed to

decide the same. The University also needs to enquire into the matter as ineligible person cannot be allowed to occupy the said chair of Principal. Respondent No.6 did not have minimum 55% marks at the PG level.

2. Mr. Chapalgaonkar the learned counsel for the University, on instructions, states that Respondent No.6 was appointed as Principal in the year 2005. Thereafter, many complaints were received. The University appointed an Experts' Committee to enquire into the matter and it was found that no illegality exists in the appointment.

3. Mr. Pawar, learned counsel appears for the UGC.

4. Learned Counsel for respondent No.6 submits that pursuant to the complaints received, the UGC directed respondent No.4 University to constitute an Enquiry Committee to enquire into the allegations about eligibility of respondent No.6 to be appointed as a Principal. The Enquiry Committee constituted by the University enquired into the matter and found that there is no illegality committed.

5. We have considered the submissions.

6. The present petition is filed in the year 2015

making grievance about appointment of Respondent No.6 as Principal of Respondent No.5 in the year 2005. The grievance is made by the petitioner for the first time by making representation to the UGC in the year 2014 i.e. after lapse of 9 years. As contended by the learned counsel for Respondent No.6, that upon directions of the UGC, the University had constituted an Enquiry Committee of experts. Enquiry was conducted and no illegality was found in the appointment of respondent No.6 as Principal.

7. In the light of above, grievance of the petitioner certainly is not justifiable. As such, the writ petition is dismissed. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC