

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1075 OF 2013

Jayprakash Education Society, Dist. Kolhapur & Anr. V/s. Shivaji University, Kolhapur & Anr.	 Petitioners Respondents
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ALONG WITH

WRIT PETITION NO.240 OF 2013

Jayprakash Education Society, Dist. Kolhapur & Anr. V/s. Shivaji University, Kolhapur & Anr.	 Petitioners Respondents
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Mr. N.V. Bandiwadekar for the Petitioners.

Mr. A.B. Borkar for Respondent No.1.

Mr. C.G. Gavnekar for Respondent No.2.

CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 13TH APRIL 2016.

P.C. :

1. Heard learned counsel for the respective parties.

2. By these Petitions, filed under Section 226 of the Constitution of India, Petitioners are challenging orders dated 14th September 2012

passed by the Management Council of Respondent No.1-University. By the said orders, Management Council of Respondent No.1-University has accepted Report of the Grievance Committee made under Section 57 of the Maharashtra Universities Act.

3. The sole grievance of Mr. Bandiwadekar, learned counsel for the Petitioners, is that, while accepting the recommendations, the Management Council of Respondent No.1-University has not heard the Petitioners, nor the copy of the recommendations of the Grievance Committee were made available to the Petitioners. Mr. Borkar, learned counsel for Respondent No.1 does not dispute this position.

4. In view of the above position and, especially, in the light of the decision of this Court in ***Yeshwant Shikshan Prasarak Mandal, Kodoli, District Kolhapur & Anr. Vs. Sadashiv Balkrishna Raktade & Ors., 2016 (2) Mh.L.J. 236***, the impugned orders cannot be sustained and the same are, accordingly, quashed and set aside. The matters are remanded back to the Management Council of Respondent No.1-University to take appropriate decision, after giving an opportunity of hearing and supplying copy of the recommendations of the Grievance Committee to the Petitioners.

5. Writ Petitions are allowed in the above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]