

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.928 of 2014
(Shri Ramrao Gopalrao Zanak and another v. Sant Gadgebaba Amravati
Vidyapeeth, Amravati, through its Registrar, and others)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Coram : R.K. Deshpande, J.
Date : 8th February, 2016

1. The Grievances Committee constituted under Section 57 of the Maharashtra Universities Act, 1994 has resolved the dispute and directed the Management to pay the arrears to the respondent No.3 as per the Sixth Pay Commission pay scales for the period from 1-1-2006 to 31-12-2009. The Management is further directed to pay the arrears of salary of Rs.59,952/- from June 2008 till May 2010. The further direction is to pay the regular monthly salary of Rs.12,652/- to the respondent No.3. There are other ancillary reliefs granted by the Grievances Committee. The order has been confirmed by the Management Council on 24-9-2013 in exercise of its jurisdiction under sub-section (2) of Section 57 of the said Act.

2. Shri Wankhede, the learned counsel appearing for the petitioners, has urged that the appointment of the respondent

No.3 was illegal and that the Grievances Committee had no jurisdiction to issue such directions.

3. Sub-Section (2) of Section 57 of the Maharashtra Universities Act, 1994 conferring the jurisdiction upon the Grievances Act, being relevant, is reproduced below :

“It shall be lawful for the grievances committee to entertain and consider grievances or complaints which are not within the jurisdiction of the tribunal and report to the Management Council to take such action as it deems fit and the decisions of the Management Council on such reports shall be final.”

4. Perusal of the aforesaid provision makes it clear that the Grievances Committee is empowered to entertain and consider all sorts of grievances or complaints which are not within the jurisdiction of the Tribunal. It is not in dispute that the reliefs granted by the Grievances Committee do not fall within the jurisdiction of the Tribunal. The report submitted by the Grievances Committee has been confirmed by the Management Council and the decision of the Management Council is to be treated as final. In view of this, it cannot be said that the Grievances Committee had no jurisdiction to issue such directions.

5. So far as the challenge regarding appointment of the respondent No.3 is concerned, the said question is no longer open to be challenged in view of the fact that the termination of the respondent No.3 was the subject-matter of challenge before the College Tribunal, and ultimately up to the Apex Court, the order of reinstatement of the respondent No.3 on the post of Peon with continuity in service and back wages, has been maintained. Hence, no grievance can be made in respect of the appointment of the respondent No.3 on the post of Peon.

6. In the result, the petition is dismissed.

7. If the order is not complied with within a period of six weeks from today, the respondent No.1-University shall take appropriate steps in accordance with law to implement the order passed by the Management Council.

Judge.

Lanjewar