

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5768 OF 1999
WITH
CIVIL APPLICATION NO. 5320 OF 2001
WITH
CONTEMPT PETITION NO.212 OF 2001

Sujata Sudhir Gaikwad,
Age 40 years, Occ. Service
R/o Plot No.3-B, Shivaji Colony,
Nandurbar.

..Petitioner

Versus

1. North Maharashtra University,
Jalgaon, Through its Registrar.

2. The Chairman,
Grievance Committee,
North Maharashtra University,
Jalgaon, Through its Registrar.

3. The Joint Director of Education
(Higher Education Grants),
Jalgaon.

4. Jijamata Education Society,
Nandurbar, through its Secretary.

5. Jijamata Education Society's,
Arts Commerce and Science
College, Mandur, Dist. Nandurbar
Through its Principal.

6. Bhausahab Vishnu Jadhav
Age major, Occ. Service
R/o C/o Jijamata Collage, Nandurbar.

..Respondents.

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Advocate for Petitioner : None present.
AGP for Respondent / State : Shri S.N.Morampalle
Advocate for Respondents 1 & 2 : Shri Vivek Dhage
Advocate for Respondents 4 & 5 : Shri K.V.Patil
h/f Shri S.R.Barlinge

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CORAM : RAVINDRA V. GHUGE, J.

Dated: May 12, 2017

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ORAL JUDGMENT :-

1. None appeared for the petitioner on 8.5.2017 and even today in the Special Vacation Sitting.

2. The only grievance put forth in this petition by the petitioner is that she should be declared senior to respondent No.6 in the seniority list maintained by the Arts, Commerce and Science College - respondent No.5. It is prayed that the declaration of the Grievance Redressal Committee of respondent No.1 / University dated 7.9.1999 be quashed and set aside.

3. Learned counsel for respondent Nos. 4 & 5 / Education Society, submits that the petitioner has quit her employment with respondent No.5 / College and has joined the Vidhya Vardhini Sabha's Arts, Commerce and Science College, Dhule on 30.11.2004 as a Full Time Lecturer.

4. Learned counsel for respondent No.1 / University submits that the University has received a letter from the Principal of Vidhya Vardhini Sabha's Arts, Commerce and Science College, Dhule dated 11.5.2017, stating therein that the petitioner has joined the said

college on 30.11.2004 and her retirement age as a Lecturer, would be after completing 60 years. A copy of the communication by the Registrar of the University to the Deputy Registrar of the said University dated 11.5.2017 indicates that the petitioner would superannuate at the age of 60 years on 31.3.2019 from the Vidhya Vardhini Sabha's Arts, Commerce and Science College, Dhule. All these communications are taken on record and collectively marked Exhibit "X" for identification.

5. Learned counsel for the respondents and the learned AGP for respondent No.3 submit that when the issue of seniority between the petitioner and respondent No.6 was only in relation to the Arts, Commerce and Science College of respondent No.5, the said dispute does not survive as the petitioner has already left the service of respondent / College.

6. Considering the above, I am of the view that as the dispute between the petitioner and respondent No.6, pertaining to the seniority, was specifically with relation to respondent No.5 College and since the petitioner had left the said College about 13 years ago, this petition is rendered infructuous.

7. In the light of the above and in view of Exhibit "X", this petition is being disposed off as infructuous. Rule is discharged.

8. Considering the above, I deem it proper to dispose of the Contempt Petition.

9. Pending Civil Application, if any, stands disposed off.

(RAVINDRA V. GHUGE, J.)

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