

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

WRIT PETITION NO. 4265 OF 2012

Parag Sudhakarrrao Sontakke

Petitioner.

Versus

The State of Maharashtra and others

Respondents.

Mr. G.K. Naik Thigale, Advocate for the petitioner.

Smt. M.A. Deshpande, Addl. G.P. for respondent Nos.1 & 2.

Smt. R.R. Mane, Advocate for respondent No.3.

Mr. Y.P. Deshmukh, Advocate holding for

Mr. A.M. Awate, Advocate for respondent Nos.4 & 5.

WITH

CIVIL APPLICATION NO. 4918 OF 2014

Ranjit Banshidharrrao Maske

Applicant.

Versus

The State of Maharashtra and others.

Respondents.

Mr. K.B. Thengle, Advocate holding for

Mr. S.J. Salunke, Advocate for the applicant/intervenor.

Smt. M.A. Deshpande, Addl. G.P. for respondent Nos.1 & 2.

Smt. R.R. Mane, Advocate for respondent No.3.

Mr. Y.P. Deshmukh, Advocate holding for

Mr. A.M. Awate, Advocate for respondent Nos.4 & 5.

Mr. G.K. Naik Thigale, Advocate for respondent No.6.

CORAM : RAVINDRA V. GHUGE
AND
SUNIL K. KOTWAL, JJ.

Dated : 10-11-2017.

ORAL ORDER :-

1. We have considered the submissions of the learned Advocates for the respective sides. The issue before us is with regard to the order passed by respondent No.4-Educational Institution and respondent No.5-Principal of the College. The petitioner further prays that the due amount of salary be paid to him forthwith.

2. We find that the issue raised before us would not be a subject-matter before the University and College Tribunal. The said subject, however, can be considered by the Grievances Committee under Section 79 of the Maharashtra Public Universities Act, 2016.

3. Learned Counsel for the petitioner submits, on instructions, that though the Grievances Committee may not have been formulated by respondent No.3-University, which contention is supported by the learned Advocate for the University, the petitioner can approach the Grievances Committee and raise the dispute. This Petition, therefore, need not be kept pending.

4. Learned Advocate for the University-respondent No.3 prays for six months time so as to enable the University to constitute

the Grievances Committee in the light of Section 79 (3) of the 2016 Act.

5. Considering the above, this Petition is disposed of. We make it clear that we have not dealt with the merits of the claims put-forth by the petitioner.

6. Respondent No.3 shall constitute its Grievances Committee as is provided under Section 79 (3) of the 2016 Act, as expeditiously as possible and in any case on or before 30th April, 2018. In the meanwhile, the petitioner would be at liberty to submit his petition putting-forth his grievance, addressed to the Vice Chancellor of respondent No.3-University, who shall place the said petition before the Grievances Committee immediately after its formation and in any case within 2 weeks from its formation. Thereafter, the Grievances Committee would issue notices to the contesting parties mentioned in the cause title of the petition put-forth by the petitioner. Needless to state, all the contentions are kept open for the Grievances Committee to consider on their own merits.

7. Pending Civil Application does not survive and stands disposed of.

8. Since we have granted liberty to the petitioner to approach the Grievances Committee, the time spent by the petitioner

in this Court from the date of the filing of the Petition till the order that is passed today, would be a good ground for condonation of delay, if any.

(SUNIL K. KOTWAL)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE