

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

BENCH AT AURANGABAD.

WRIT PETITION NO.8098 OF 2016

Dr.Ashok Bhaurao Naikwade, ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
WITH
CIVIL APPLICATION NO.11339 OF 2016
IN
WRIT PETITION NO.8098 OF 2016

...
Mr.Pradeep Deshmukh, advocate holding for
Mr.Yogesh P.Deshmukh, advocate for the petitioner
Mr.S.W.Munde, A.G.P. for the State.
Mr.S.S.Thombre, advocate for Respondent Nos.4 and
5.
Mr.V.G.Sakolkar, advocate for Respondent No.6.

...

**CORAM : S.V.GANGAPURWALA AND
S.M.GAVHANE, JJ.**

Date : 05.12.2017.

PER COURT :

1. The petitioner was appointed as a

Principal with effect from 1.6.2015 by Respondent No.6. The Respondent No.4 University granted approval to the appointment of the petitioner on 23.9.2015. Under the impugned communication, the Joint Director of Higher Education appointed a Committee under the Chairmanship of Dr.S.G.Gupta to enquire regarding the appointment of the petitioner as a Principal. The said communication is assailed in the present Writ Petition.

2. We have heard learned counsel for respective parties. The affidavit is filed by the Joint Director of Higher Education to the effect that on a complaint received from MUPTA organisation, the Committee was appointed by the University to assess the API score. The total score was 708.5. It is further stated in the affidavit that the Joint Director of Higher Education granted permission to the Society to include the name of the petitioner in the process of online salary of the petitioner based on the approval granted by the University to the petitioner under letter dated 28.3.2016 and the

salary of the petitioner was fixed. Further on the basis of the complaint of MUPTA, the Joint Director of Higher Education also appointed the Committee under the Chairmanship of Dr.S.G.Gupta. He conducted the inquiry and submitted his report. The Committee upon inquiry submitted report and opined that the appointment of the petitioner is made as per Regulations.

3. In view of the above, as upon the inquiry conducted by the office of the Joint Director of Higher Education it has come to light that appointment of the petitioner was as per Regulations and no illegality is committed. The impugned communication now does not survive. The Management shall submit the salary bills of the petitioner, which would be processed by the authority and payment as per Rules be made to the petitioner.

4. The Writ Petition is accordingly disposed of. No costs.

5. None appears for the interveners, the

Civil Application No.11339/2016 stands disposed of.

(S.M.GAVHANE, J.)

(S.V.GANGAPURWALA, J.)

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