

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9221 OF 2016

Gopal S/o Mitharam Talele

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.A.G. Talhar advocate for the petitioner

Mr.A.S.Shinde, AGP for Respondent No.1

Mr. V.B. Bolkar advocate for respondent No.2

Mr. S.N. Boiwar h/f Mr. V.T.Choudhari advocate for respondent nos.3 & 4

CORAM : R.M. BORDE &

P.R. BORA, JJ

(Date : 15TH March, 2017.)

PER COURT :-

1 The petitioner is seeking direction to respondent No.2 University to grant adhoc approval for his appointment as Associate Professor in respondent No.4 College.

2 The University has raised objection in respect of selection of the petitioner as an Associate Professor on the ground that, his selection has not been made in accordance with Statute No.415(1) of the North Maharashtra University, Jalgaon. It is the contention of the University that, the petitioner is not selected

by a duly constituted selection committee, formed in accordance with relevant statute.

3 The petitioner contends that, he is discharging his function, since 2010. However, as a result of failure of the Management to observe the procedure, prescribed under the Statute, his interest is being affected prejudicially.

4 In the circumstances, the ends of justice could be met by issuing directions to respondent No.4 College to submit proposal for advertising the post and constituting a Committee for selection of the candidate i.e. filling up the vacancy of Associate Professor in Mathematics subject.

5 Counsel appearing for respondent No.4, on instructions, states that, necessary proposal would be forwarded to the University i.e. respondent No.2 within a period of 15 days. On receipt of proposal, the North Maharashtra University shall process the same and grant necessary '*no objection*' for issuance of advertisement within a period of four weeks from the date of receipt of proposal in accordance with law. Respondents No.2 and 4 shall observe the procedure in respect of appointment of the candidate and complete the process within a period of three months from the date of issuance of advertisement. It would be

open for the petitioner to participate in the process of selection.

6 With directions as above, writ petition is disposed of. No costs.

(P.R. BORA, J)

(R.M. BORDE, J)

vbd