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

WRIT PETITION NO. 11592 OF 2016

**NIRANJAN CHITTARANJAN HELKAR
VERSUS
UNIVERSITY GRANTS COMMISSION MINISTRY OF HUMAN
RESOURCE DEVELOPMENT THROUGH SECRETARY**

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Advocate for Petitioner : Mane V.M.
A.S.G. Mr.S.B.Deshpande for R.1.
AGP for Respondents: Mrs.A.V.Gondhalekar for R. 2.
Advocate for Respondents : Mr.Sambhaji Tope for R.3 and 4
Advocate for Respondents : Mr.B.T.Bodkhe for R.5 & 6.
Advocate for Respondents : Mr.Aute h/f Talekar & Associates for R.7.

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WITH WP/10784/2016

**DHANANJAY SADASHIV RAIBOLE
VERSUS
THE STATE OF MAHARASHTR AND ORS.**

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Adv.Mr.Aute h/f Talekar & Associates for petitioner
Mrs.A.V.Gondhalekar, AGP for R.1.
Adv.Mr.S.S.Tope for R.2 & 3.
Adv.Mr.B.T.Bodkhe for R.4 & 5.
Adv.Mr.V.M.Mane for R.6.

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**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL,JJ.**

DATE : 27/09/2017

PER COURT :-

The petitioner in Writ Petition No.11592/16 assails the order passed by the University thereby rejecting proposal for the approval. The dispute amongst the parties is that pursuant to the selection

process, the petitioner in Writ Petition No.10784/16 was at Sr.No.1 and the petitioner in Writ Petition No.11592/16 was at Sr.No.2. The proposal was submitted seeking approval to the appointment of petitioner Niranjan. University issued a notice to the institution as to why the appointment of Dhananjay is not made though he stood at Sr.No.1 in the selection process. As such the said action is assailed by filing Writ Petition by Niranjan. This Court disposed of the said Writ Petition, by observing that the notice was never served upon Dhananjay and further steps were to be undertaken. Subsequently, the proposal seeking approval to the appointment of Niranjan is cancelled, whereas Dhananjay seeks appointment.

2] Mr.Auti, learned counsel for the petitioner in Writ Petition No.10784/16 on instructions of the petitioner Dhananjay who is present in the Court makes a statement that petitioner Dhananjay Raibole has joined Chetana College Aurangabad in April 2017 and now is not interested in claiming the post on which Niranjan is appointed.

3] In light of the above subsequent development, Writ Petition No.10784/16 does not survive and is disposed of.

4] The order dated 25/26-10-2016 impugned in Writ Petition No.11592/16 stands set aside. The University shall consider the proposal of the petitioner Niranjan on its own merits and shall not reject it on the ground that Dhananjay was at Sr.No.1. Writ Petition is disposed of.

(MANGESH S. PATIL,J.)

(S.V.GANGAPURWALA,J.)

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