

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

8 WRIT PETITION NO. 3541 OF 1998

AVINASH DINKARRAO SARNAIK
VERSUS
SWAMI RAMANAND TIRTH MARATHWADA UNIVERSITY

...
AGP for Respondent 3 : Shri Kulkarni P.M.

...
CORAM : RAVINDRA V. GHUGE, J.
Dated: October 20, 2018

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PER COURT :-

1 None for the petitioner and the respondents, except the learned AGP, who appears for respondent No.3.

2 The petitioner had approached this Court seeking protection to his appointment as a Principal of Mahila Mahavidhyalaya and for seeking a direction to the University to grant permanent approval to his appointment as a Principal.

3 By order dated 15.9.1998 passed by this Court, interim relief was granted in terms of prayer clause (D), which reads as under:-

“(D) Pending hearing and final disposal of this writ petition, the respondents, their agents, servants or any other persons acting on their behalf be restrained from taking any adverse action against

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the petitioner on the basis of the resolution dated 11.3.1997
passed by the respondent no.1 - University.”

4 By order dated 11.4.2001, this petition was admitted and interim
relief was confirmed.

5 The petitioner appears to be 65 years of age today and is 5 years
past his superannuation. I, therefore, do not find it appropriate to take
up this issue when this Court had protected the petitioner till his
retirement and it has been 20 years that the interim relief was in
operation.

6 This petition is, therefore, allowed in view of the interim relief
granted. Rule is made absolute accordingly.

(RAVINDRA V. GHUGE, J.)

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