

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4015 OF 1998

1. The Principal,
Shikshan Prasarak Sanstha's
Sangamner Nagarpalika Arts
D.J.Malpani Commerce and
B.S.Sarda Science College,
Sangamner 422 605
District Ahmednagar.

2. The Hon. Secretary
Shikshan Prasarak Sanstha's
Sangamner 422 605
District Ahmednagar.

..Petitioners

Versus

1. Dalvi Sanjaykumar Nanasaheb
Age major, R/o "Shivprasad"
Shivneri Marg, Markendeya Marge,
Station Road, Ahmednagar.

2. The Registrar,
University of Pune,
Ganeshkhind, Pune.

3. The Director,
Higher Education, Pune.

4. Joint Director,
Higher Education, Pune.

..Respondents

...

Advocate for Petitioner : Shri A.S.Bajaj
Advocate for Respondent 1 : Shri S.G.Karlekar
Advocate for Respondent 2 : Shri V.P.Golewar h/f Shri A.R.Joshi
AGP for Respondents 3 & 4 : Shri S.R.Yadav Lonikar

...

CORAM : RAVINDRA V. GHUGE, J.
Dated: March 23, 2018

...

ORAL JUDGMENT:-

1. The learned Advocate for the petitioner / educational society and the original appellant / respondent No.1 submits that they have resolved the dispute as regards the termination of the appellant. Consequentially, they pray that this petition can be disposed off in the following consent terms:-

(A) The appellant would be treated as being in continuous service as a confirmed Teacher, in deference to the judgment of the University Tribunal dated 16.7.1998.

(B) The direction of the University Tribunal, setting aside the oral termination dated 1.8.1996, shall be respected.

(C) The appellant would waive the entire backwages from 1.8.1996 till his date of reinstatement dated 21.9.1998.

(D) The management would forward the proposal of the appellant for the grant of increments and benefits of Career Advancement Scheme (CAS) within a period of four weeks to the Registrar, Savitribai Phule Pune University for consideration.

(E) The appellant has acquired his Ph.D. on

27.3.2010 and benefits like increments and CAS would be available to him from the date of acquiring of the said qualification.

2. Learned counsel for the University submits that the University would consider the proposal of the appellant sent by the College, strictly in accordance with its Statutes, Ordinances and the terms of the CAS as are applicable.

3. In the light of the above, this petition is disposed off by recording the consent terms between the management and the original appellant, who is personally present in the Court.

4. It is expected that the University would take a decision on the said proposal after due scrutiny, within a period of eight weeks. In the event, the appellant is aggrieved by any decision of the University, he would be at liberty to take recourse to a remedy as is permissible in law.

5. Rule is discharged.

(RAVINDRA V. GHUGE, J.)

...