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

WRIT PETITION NO. 3953 OF 2006

Vidya Vikas Mandal,
Pathrud, Tq. Bhoom,
Dist. Osmanabad
(Through its Secretary
Shri Tulsidas Rangnath Survase,
Aged 59 years, Occ: NIL/Pensioner
R/o. Chincholi, Tq. Bhoom,
Dist. Osmanabad.

PETITIONER

VERSUS

1. Dr. Babasaheb Ambedkar
Marathwada University
(Through its Registrar)
Aurangabad.
2. The Vice Chancellor
Dr. Babasaheb Ambedkar
Marathwada University,
Aurangabad.
3. The Director,
College and University
Development Board,
Dr. Babasaheb Ambedkar
Marathwada University,
Aurangabad
4. Dr. Bibhishan s/o Pandharinath
Bhairat, Age 50 years,
Occu: Nil, R/o c/o Shri. W.K. Nalpe,
Pardi Road, Bhoom,
Dist. Osmanabad
5. The Inquiry Committee
(Through its Chairman :
Dr. K.B. Laghane, Lecturer in

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Vivekanand Arts,
S.D. Commerce and Science
College, Dr. Babasaheb Ambedkar
Marathwada University,
Aurangabad

6. Shri Tanaji s/o Rambhau Borade,
Age: 40 years, Occu:Service,
At & Po: Pathrud, Tq. Bhoom,
Dist. Osmanabad
7. Shri Dilip Walshe-Patil,
Honourable Minister for Higher
Technical Education, Mantralaya,
Mumbai-32
8. Shri Rahul Maharudra Mote,
M.L.A., At & Po: Girwali,
Tq. Bhoom, Dist. Osmanabad
9. Shri Ankushrao Tope,
President,
Jalna Nationalist Congress Party,
Near Flyover, Jalna
10. Shri Ajeet Londhe,
Personal Secretary to
Honourable Chief Minister
of Maharashtra, Mantralaya,
Mumbai-32

(Respondent Nos.7 to 10
deleted as per Court's
order dated 11/07/2006)

..RESPONDENTS

Mr Jitendra V. Patil, Advocate holding for Mr P. R.
Katneshwarkar, Advocate for petitioner;
Mr K. M. Suryawanshi, Advocate for respondent Nos.1
to 3;
Mr D. A. Karnik, Advocate holding for Mr Vivek
Dhage, Advocate for respondent No.4;
Mr S. B. Talekar, Advocate for respondent No.6

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**CORAM : PRASANNA B. VARALE &
S. M. GAVHANE, JJ.**

DATE : 14th JUNE, 2018

ORAL ORDER :

Learned Counsel appearing for the respective parties fairly submits that the petition filed before this Court was for challenging the communication by respondent-University i.e. Dr. Babasaheb Ambedkar Marathwada University granting continuity of service to respondent No.4. It was stated in the communication that respondent No.4 who was discharging his duties as Principal of the Institute shall conduct regular activities and administrative affairs of the College smoothly and he be permitted to continue his service as Principal of the institute. A Committee was constituted to consider the issue. It seems that there were certain objections and counter objections of the employee. On the backdrop of these objections and counter objections, a special committee was constituted under directions of Vice

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Chancellor of the University. The Committee in its wisdom took decision to continue services of respondent No.4. This communication was challenged by the petitioner, who was Secretary of the Institute, namely, Vidya Vikas Mandal, Pathrud, Tq. Bhoom, Dist. Osmanabad.

2. Perusal of the order sheet show that Division Bench of this Court could not find any favour with the petitioner to pass interim order. Only liberty was granted to the petitioner for early hearing of the petition. Rule was granted by this Court. It is submitted before us that respondent No.4 now stood retired on superannuation. As there was no interim order and submission that respondent No.4 stood retired on superannuation during the pendency of the petition in the passage of time, nothing survives in the petition. The petition is disposed of accordingly.

(S. M. GAVHANE)
JUDGE

(PRASANNA B. VARALE)
JUDGE