

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

909 WRIT PETITION NO. 3708 OF 2018
WITH WP/244/2018 WITH CA/4579/2018 IN WP/244/2018 WITH
WP/3754/2018 WITH WP/3769/2018

APPASAHEB BHAUSAHEB HUMBE
VERSUS
THE VICE CHANCELLOR DR BABASAHEB AMBEDKAR MARATHWADA UNIVERSITY
AURANGABAD AND OT

...
Advocate for Petitioner : Mr. Shambhuraje V. Deshmukh
AGP for Respondents: Mr. S.Y. Mahajan

CORAM : R.M. BORDE &
K.K. SONAWANE, JJ.

DATE : 18th April, 2018.

PER COURT:-

Leave to add State Government and Chancellor of the University as party respondents.

2] Section 140 of the Maharashtra Public Universities Act, 2016 provides that if any question arises regarding interpretation of any provision of this Act or any statutes, Ordinance and/or Regulation or Rule, or whether a person has been duly elected or appointed or nominated or co-opted as a member or is entitled to be a member of any authority or body of the University, the matter may be referred, on petition, by any person or body directed affected or suo-motu by the Vice Chancellor to the Chancellor, who shall after taking such advice as he things necessary, decide the question, and his decision shall be final.

3] The petitioners in W.P. No. 3708 of 2018 and 244 of 2018 are objecting to the nomination of members by the University Vice Chancellor over the Board of Studies, whereas, in Writ Petition No. 3769 of 2018 and 3754 of 2018, the challenge is raised to the election of the said members who have been nominated on the Board of Studies as Chairman.

4] The questions raised in the instant petition are required to be dealt with by the Chancellor in view of Section 140 of the Maharashtra Public Universities Act, 2016. The petitioners state that they have already tendered a representation to the Chancellor, however, the petitioners shall have liberty to tender an appropriate appeal within contemplation of Section 140 of the Act of 2016, within a period of 15 days from today. Counsel for petitioner in W.P. No. 3754 of 2018 informs that yesterday the petitioner has tendered an appeal to the Honourable Chancellor.

5] If the petitioners tender such appeal/s within contemplation of Section 140 of the said Act, within the time stipulated above, the same shall be decided by the Chancellor, in accordance with law, as expeditiously as possible and preferably within 3 months from today and it is accordingly directed. All these writ petitions are disposed of accordingly.

[K.K.SONAWANE, J]

[R.M. BORDE, J]

grt/-