

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

WRIT PETITION NO. 9904 OF 2017

Suresh S/o Renukadas Halhalli

... Petitioner

VERSUS

The State of Maharashtra & Ors.

... Respondents

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Mr S. S. Thombre, Advocate for the petitioner
Mr A. V. Deshmukh, AGP for respondent/State
Mr A. R. Borulkar, Advocate for respondent No. 2
Mr V. D. Salunke, Advocate for respondent no. 3
Mr M. S. Karad, Advocate for respondent no.4
Mr S. B. Deshpande, Advocate for respondent No. 5

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**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 22ND JANUARY, 2018.

ORDER:

1. The petitioner seeks directions to allow him to join as a Associate Professor so also seeks further directions to restrain respondent no. 3 from working as an In-charge Principal and to allow the petitioner to work as a In-charge Principal.

2. It appears that, there is a dispute amongst the members of the management, different parties claim to be in management. The petitioner was on leave for certain period. The dispute is also about the leave not being sanctioned. The petitioner had approached the

Principal to allow him to join. The Principal asked the petitioner to approach the management and to get the leave sanctioned.

3. The petitioner had also earlier filed the petition bearing Writ Petition No. 12869 of 2016. This Court under order dt.04.05.2017 has disposed of the writ petition with a direction that in case the documents are filed by the petitioner, respondent no. 5 therein, shall consider the same and if there is no any other impediment, shall allow the petitioner to join.

4. In dispute amongst the members of the management, the employees are always scapegoat. The petitioner has filed on record a copy of the certificate of fitness issued by Dr. Sanjay Jagtap, who is consulting Physician, Diabetology and Cardiologist so also the Professor of Medicine in Government Medical College, Latur. There was no impediment to allow the petitioner to join as a Associate Professor. The dispute would be about In-charge Principal. Much time is lost in litigation.

5. The respondents and Intervenor shall allow the petitioner to join as a Associate Professor with respondent No.3-College within a period of three days from today.

6. With regard to the claim of I/c. Principal, it is for the management to forward the proposal for the post of Principal and it is for the University to consider the eligibility of a particular person to be appointed as a Principal / In-charge Principal. The parties may take steps with regard to the same as may be permissible in law.

7. With these observations and directions, the writ petition stands disposed of. No costs.

. Authenticated copy be supplied.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde