

WRIT PETITION NO. 11274 OF 2017

Shri Bankat Swami Shikshan Sanstha ... Petitioner

VERSUS

The State of Maharashtra & Ors. ... Respondents

.....
Mr M. S. Deshpande, Advocate for the petitioner
Mrs Vaishali N. Patil-Jadhav, AGP for respondent/State
.....

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

DATE : 13TH FEBRUARY, 2018.

ORDER:

1. Heard learned counsel for the petitioner, learned counsel for respondent no. 2 and learned AGP for the State.
2. The petitioner seeks directions against the respondent to appoint the Commissioner for filling up all the vacancies of the teaching staff on clock hour basis so also non-teaching staff for one year.

3. The learned counsel for the respondent points out the order dt. 25.03.2011 passed in Writ Petition No. 4745 of 2010 with LPA No. 188 of 2009. Clause 4 of the said order reads thus;

[4] If any appointments of the teaching and/or non-teaching staff are necessary, respondent no.3 shall make a request in writing to the University for appointing independent committee for selection of staff. If the University-Dr.Babasaheb Ambedkar Marathwada University receives any such request from respondent no.3-Principal in writing, the Vice Chancellor shall appoint a committee of three independent members having regard to the subjects for which appointments are to be made. The University shall complete the selection process after following the due procedure as contemplated by Maharashtra Universities Act and the Regulations / Statute framed thereunder. The expenditure that will be required to be incurred for conducting the process of selection will be borne by the institution and the University in that regard shall issue direction to the Principal. If the Principal receives any requisition from the University regarding the expenditure, he will disburse the said amount within a period of two weeks from the date of receipt of such requisition.

5. In view of the aforesaid order, the Principal of the College can take steps to make a request in writing to the University for appointing independent Committee for selecting of staff. Upon receipt of the said application, the University shall follow the

directions referred to in clause 4 of the order dt. 25.03.2011 passed by this Court in Writ Petition No. 4745 of 2010 with LPA No. 188 of 2009.

6. With these observations, the writ petition disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde