

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5023 OF 2016

BALU TUKARAM SALOKHE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. V. J. Dixit, Senior
Advocate i/b. Mr. Nagargoje Ankush N.
AGP for Respondents No. 1 to 4 : Mr. P. S. Patil
Advocate for Respondent No. 5 : Mr. S. S. Thombre
Advocate for Respondent No. 6 : Mr. Anand Chawre
Advocate for Respondent No. 7 :
Mr. S. B. Deshpande
Advocate for Respondent No. 8 : Mr. S. V. Deshmukh

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WITH
CIVIL APPLICATION NO. 2517 OF 2019

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

DATE: 04th APRIL, 2019

PER COURT :

1. Mr. Chawre, learned counsel for respondent no. 6 submits that in fact the petitioners should have filed matter before the Principal Seat and this Court would not exercise jurisdiction over respondent no. 6. He further submits that the sub-committee has been constituted under Section 106

of the Maharashtra Universities Act, 1994 to determine equivalence and the subcommittee can determine the equivalence as claimed by the petitioners.

2. In the light of above, the sub-committee constituted by respondent no. 6 shall consider the equivalence as claimed by the petitioners of the Ph.D. qualification awarded by respondent no. 8 Shri Jagdish Prasad Jhabarmal Tibrewala University, Chudela (Jhunjhunu), District - Jhunjhunu (Rajasthan). The petitioners may put forth the documents and materials on which they would rely for the said purpose.

3. The petitioners may file the representation within a period of two (02) weeks. They shall also submit the relevant documents on which they rely and pay the necessary fees in accordance with rules and the sub-committee shall decide it within a period of three (03) months from the date of representation being submitted by them. It will be

open for the petitioners to represent themselves before the sub-committee. Naturally, all the regulations as applicable and in force shall be considered by the sub-committee.

4. Those petitioners who are seeking benefit of education with respondent no. 6 / University in their cases the sub-committee appointed by the respondent no. 6 shall evaluate and consider equivalence and in respect of others who are seeking employment the employing organisation would consider the equivalence. If the employer is University respondent no. 6 would consider the equivalence.

5. We have passed this order as it is suggested by the learned counsel for respondent no. 6 that sub-committee is constituted and they can determine the equivalence.

6. Writ Petition stands disposed of accordingly.
No costs.

7. In view of disposal of the writ petition, the civil application also stands disposed of. The contentions on merits of respective parties are kept open.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]

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