

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7968 OF 2019**

Shri Anil A. Ahivale	...	Petitioner
Versus		
The Secretary, Rayat Shikshan Sanstha, Satara and Ors.	...	Respondents

Mr.P.P.Deokar for the Petitioner.

Mr.Milind Deshmukh for Respondent
No.1.

Mrs.R.A.Salunkhe, AGP for State.

Mr.Amit Borkar for Respondent No.4.

**CORAM :- S. C. DHARMADHIKARI &
SANDEEP K. SHINDE, JJ.**

DATE :- JULY 26, 2019

P.C. :-

1. When this writ petition was placed before us today, a preliminary objection is raised to its maintainability and by inviting our attention to sub-section (7) of Section 79 of the Maharashtra Public Universities Act, 2016.

2. The petitioner is aggrieved and dissatisfied with an order dated 17th June, 2019 issued by the Rayat Shikshan Sanstha, Satara. The petitioner is an Associate Professor in the Shripatrao Kadam Mahavidyalaya, Shirval, Taluka Phaltan, District Satara. Now, he has been transferred to Raosaheb Ramrao Patil Mahavidyalaya, Sawalaj on the same post.

3. He is aggrieved by this transfer order and complains that this is the thirteenth transfer in his career. This transfer is, therefore, not in the interest of the administration or for administrative exigencies or for better co-ordination. This a *mala fide* and arbitrary act.

4. We have found from a reading of sub-section (7) of Section 79 that the Grievances Committee has been set up and it is chaired by a retired Judge, not below the rank of District Judge, nominated by the Vice-Chancellor, a Dean nominated by the Vice-Chancellor, Chancellor's nominee on the Management Council, Registrar, one teacher belonging to the reserved category and the Law Officer of the University as the Member Secretary. It is an independent impartial body set up to redress the grievances or complaints relating to service of the employees, which are not within the jurisdiction of the Tribunal. It gives an opportunity of being heard and passes orders.

5. In the circumstances, we do not think that the petitioner is remedyless. The petitioner can approach this Grievances Committee to have the grievance redressed. Granting liberty to the petitioner to approach this Committee and keeping open all contentions, we dispose of this writ petition. We are of the opinion that the petitioner has an alternate and equally efficacious

remedy to seek resolution of dispute or grievance with the Management. The writ petition is disposed of.

6. Given the fact that the petitioner is complaining about the transfer and there would be a compulsion to join and thereafter the apprehension is that nothing would remain in the grievance, we request the Grievances Committee to settle the grievance as expeditiously as possible and within a period of four weeks from the date the petitioner approaches it.

(SANDEEP K. SHINDE, J.)

(S.C.DHARMADHIKARI, J.)