

Rayat Shikshan Sanstha, Satara & anr. ..Petitioners
vs.
Mahale Madhu Bavaju & ors. ..Respondents

Shri Milind Deshmukh for petitioners.
Shri S.R. Ghanvat for respondent No.1.
Shri A.B. Borkar for respondent No.2.
Ms. M.S. Bane, AGP for respondent No.3.

CORAM : M.S.KARNIK, J.

DATE : 11th APRIL, 2019

P.C. :

Rule. Rule is made returnable forthwith by consent of the parties and heard finally.

2. The petitioners impugn the judgment and order dated 5/7/2016 passed by Presiding Officer, Pune/Shivaji/Solapur University and College Tribunal, Pune, (hereinafter referred to as “the Tribunal” for short) directing reinstatement of respondent No.1 in service with full back-wages and continuity of service.

3. Learned Counsel for respondent No.1 invited my attention to the judgment and order dated 19th December, 2014 passed by this Court in Writ Petition No.652 of 2012. All parties agree that the issue raised in this Petition is squarely covered by the decision of this Court in Writ Petition No. 652 of 2012.

4. In brief, respondent No.1 had to acquire the net-set qualification before 11th July, 2009. However, as respondent No.1 acquired M.Phil. qualification on 4th February, 2009, he has to be held eligible and now there is no need to acquire net-set qualification. In this view of the matter, the order passed by the Tribunal does not call for any interference.

5. It is submitted by learned Counsel for the petitioners as well as learned Counsel for respondent No.1 that respondent No.1 in Writ Petition No. 652 of 2012 has already been granted approval.

6. In this view of the matter, respondent No.2 to consider granting approval to appointment of respondent No.1

in the light of the facts stated hereinbefore. The same shall be done within the period of six weeks from today.

7. With these observations, the Writ Petition is disposed of.

8. Rule is discharged with no order as to costs.

(M.S.KARNIK, J.)