

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.2680 OF 2002

Bhartiya Vidya Bhavan and others

..Petitioners

Versus

The State of Maharashtra and others

..Respondents

Mr. Susheel Mahadeshwar a/w Ms. Ranjana Todankar, Advocates for the Petitioners.

Mr. Abhay Patki, AGP for Respondent Nos.1 to 4 – State.

Mr. Rui Rodrigues, Advocate for Respondent No.5.

**CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.**

DATE : 15th JULY, 2019

P.C.

1] The 1st Petitioner has established the 2nd and 3rd Petitioner colleges which are affiliated to Mumbai University. The challenge in the Writ Petition is to Government Resolution dated 20th January 1990 reiterated by Government Resolution dated 25th November 1994 requiring clubbing of posts in Petitioner Nos.2 and 3 colleges for the purpose of reservation i.e. applying the roster.

2] Learned counsel for the Respondents does not dispute that in Writ Petition 1840 of 2003 decided at the principal seat of this Court on 30th November 2011, the two Government Resolutions were held contrary to the law declared by the Supreme Court in the

decision reported as (1990) 4 SCC 55 Dr. Suresh Chandra Verma and Ors. Vs. The Chancellor, Nagpur University and Ors. and as a result were quashed.

3] The Writ Petition is disposed of by making the rule absolute and quashing the two Government Resolutions dated 20th January 1990 and 25th November 1994.

N. M. JAMDAR, J

CHIEF JUSTICE