

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

WRIT PETITION NO. 1027 OF 2017

Prof. Bandu B. Meshram.

...Petitioner.

Versus

Director VJTI and Others.

..Respondents.

Mr. Suresh T. Mane for the Petitioner.

Mr. A. M. Kulkarni with Mr. S. S. Diwan for Respondent No. 1, 2 and 4.

Mr. A. L. Patki, and Mr. S. B. Goel, AGP for the Respondent-State.

Coram : RANJIT MORE &
M. S. KARNIK, JJ.

Date : **November 7, 2019.**

P. C. :

1. Heard the learned counsel appearing for the respective parties. By this petition, the Petitioner is challenging the appointment of Respondent No. 4 to the post of Director of VJTI.

2. Mr. Mane, learned counsel for the Petitioner raised two fold objections to the selection of Respondent No.4; firstly that the scrutiny committee consisting of two members have relaxed the preferred qualifications, and secondly, under the concerned Rules, the selection committee shall be consisting of

six members, however selection of Respondent No. 4, was made by the committee consisting of eight members. So far as the first objection is concerned, we do not find any merit in the same inasmuch as the Petitioner was shortlisted in the process; he was interviewed by the selection committee. The Petitioner having participated in the process of said selection, now it is not open for him to challenge the relaxation of preferred qualification criteria.

3. So far as the second objection is concerned, the Selection Committee under the relevant Rules consists of following persons, namely,

- [i] the Chairperson of BoG, as Chairperson of SSC.
- [ii] Principal Secretary / Secondary Higher and Technical Education, Government of Maharashtra, Mumbai as co-chairperson,
- [iii] Director / Ex-Director of TIFR and/or IIT Bombay, Mumbai or equivalent.
- [iv] Director / Vice Chancellors of National Institutions, as Members.
- [v] Nominee of Chairperson, BoG, as member.
- [vi] Director of Technical Educational, Government of Maharashtra, Mumbai as member secretary.

4. In the present case, Respondent No. 4 is selected by the committee consisting of following eight persons :

1.	Mrs. Sandra Shroff, Chairman of BOG VJTI	Chairman.
2.	Shri. Sitaram Kunte, IAS Principal Secretary, Higher and Technical Education Department, M. S. Mantralaya, Mumbai.	Co-Chairman.
3.	Dr. Devang V. Khakhar, Director, IIT Bombay.	Member.
4.	Dr. K. N. Vyas, Director Bhabha Atomic Research Centre, Mumbai.	Mumbai.
5.	Prof. Ashwini Kumar Nangja Director, CSIR-National Chemical Laboratory, Pune.	Member.
6.	Dr. O. G. Kakde- Director, VJTI, Mumbai.	Special Invitee.
7.	Dr. Mangesh Joshi, Member, BoM, VJTI, Mumbai	Special Invitee.
8.	Dr. Subhash K. Mahajan, Director, Technical Education, Maharashtra State, Mumbai.	Member Secretary.

5. Perusal of the above details makes it clear that members of the selection committee as per relevant rules are the members of the selection committee constituted for the purpose of selection to the subject post. In addition to this, two more additional members were included in the selection committee. It is to be noted that the decision to select Respondent No. 4 as director of VJTI was unanimously taken by eight members of the committee. In that view of the matter, we do not find any substance in the second objection of the Petitioner. The petition is without any substance and the same is accordingly dismissed.

[M. S. KARNIK, J.]

[RANJIT MORE, J.]