

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

WRIT PETITION NO.235 OF 2015

Ayurvedya Prasarak Mandal, Sion,
Mumbai & Anr.

.... Petitioners

Vs.

The State of Maharashtra & Ors.

.... Respondents

Mr. Rui Rodrigues i/by Ms Yogita Singh for the Petitioners.
Mr. H.B. Takke, AGP, for the Respondent-State.

CORAM: S.C. DHARMADHIKARI &
M.S. KARNIK, JJ.

DATE : FEBRUARY 11, 2019

P.C:

1. We have perused the writ petition and the annexures thereto and have also heard both sides at some length.

2. In para 3 of the affidavit of the Assistant Director of Ayurved, Konkan Bhavan, Navi Mumbai, affirmed on 30-1-2015, it is stated that petitioner No.2 is a private grant-in-aid college, run by petitioner No.1. It has received 100% salary grant-in-aid from the State Government. The State is not the employer of any

of the employees of the college and is not responsible for the service conditions or disputes. It is only the expenditure by way of reimbursement of the amount of salaries disbursed to these employees which is approved as grant-in-aid. Despite what the petitioners have alleged, the grants have been released and even for the Academic Year 2013-2014. There is an allegation of undue interference by the petitioners.

3. We are clear from this order that at best the State Government has cautioned the petitioners but has never stopped its salary grants. Merely because such a caution or warning has been administered, does not mean that the functioning or working of the college has been disrupted. There is no interference, as is complained. We are, therefore, satisfied that the petition has worked itself out and it is accordingly disposed of with no order as to costs.

(M.S. KARNIK, J.)

(S.C. DHARMADHIKARI, J.)