

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CIVIL APPLICATION NO.4456 OF 2020

IN

PUBLIC INTEREST LITIGATION NO.120 OF 2019

SHRI SAIBABA SANSTHAN TRUST SHIRDI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr.Avinash Khedkar Advocate h/f. Mr. N.R. Bhavar
Advocate for Applicant.

Mr.D.R. Kale, Government Pleader for Resp. No. 1.

Miss Pradnya S. Talekar Advocate h/f. Talekar and Associates
for Respondent No. 7.

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**CORAM: SUNIL P. DESHMUKH AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 17th JULY, 2020

ORDER :

1. Heard learned counsel for appearing parties.
2. In the peculiar circumstances under pandemic of Covid-19, request is made to permit the applicant to issue appointment orders to assistant professors on purely temporary/ *ad-hoc*/ contractual basis for academic year 2020-2021, since regular recruitment to the posts is not possible and the academic courses are likely to be hampered for want of assistant

professors. It is being referred to that the appointments of said 19 persons have been made after having seen that they are properly qualified and following due procedure. It is further being referred to that approvals to their appointment are pending with the university.

3. Learned counsel Miss Talekar appearing for respondent No. 7 refers to that looking at the prevailing situation, respondent No. 7 may not have serious objection to issue fresh appointment orders to said persons but that should be on purely temporary basis and for the present academic year only and after pandemic is over regular recruitment process should be undertaken immediately.

4. Having regard to aforesaid, it appears to be expedient that, fresh appointment orders in favour of concerned 19 assistant professors referred to in civil application may be issued on purely temporary/ *ad-hoc*/ contractual basis, for academic year 2020-2021. Their appointments shall automatically come to an end immediately after expiry of academic year 2020-2021 or any further event viz. regular appointments, or further orders from the court/ tribunal,

whichever is earlier.

5. It is made clear that none of the parties would be able to claim equities from such an action.

6. Civil application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.) [SUNIL P. DESHMUKH, J.]

asb/JUL20