

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8371 OF 2021

Om Dattatray Kambale

..... Petitioner

VERSUS

The State of Maharashtra & Ors.

..... Respondents

Mr.R.K.Mendadkar for the Petitioner.

Mrs.P.J.Gavhane, A.G.P. for the State - Respondent nos. 1 and 2.

Mr.Sameer Khedekar for the Respondent no.3.

**CORAM: R. D. DHANUKA AND
ABHAY AHUJA, JJ.**

DATE : 4th DECEMBER, 2021

P.C:-

This Court passed an order yesterday directing the learned A.G.P. to take instructions from the Scrutiny Committee and make a statement before this Court whether these two matters can be decided by the Scrutiny Committee on or before 7th December, 2021. While passing the said order, this Court has made an observation that the students cannot come at the last minute and seek directions against the Scrutiny Committee to decide the matter within 48 hours.

2. Learned A.G.P. on oral instruction states that the Scrutiny Committee would be able to pass a final order on 7th December, 2021 in view of the fact that the arguments are already closed. Statement is accepted.

3. Scrutiny Committee is accordingly directed to pass an order on 7th December, 2021 and convey the order that would be passed to the petitioner immediately. It is made clear that this Court has not expressed any views on the merit of the matter. All contentions of both the parties are kept open. It is made clear that this order cannot be treated as precedent. We have passed this order in view of the statement made by the learned A.G.P. that the Scrutiny Committee would pass an order on 7th December, 2021 in view of the hearing already closed.

4. Writ petition is disposed of in the aforesaid terms. No order as to costs.

5. At the request of Mr.Mendadkar, learned counsel for the petitioner, we direct the Scrutiny Committee to forward the order that would be passed by the Scrutiny Committee on the e-mail ID of the

petitioner and the learned advocate immediately upon passing the order. It is made clear that the petitioner or his client shall not raise any objection for service of the copy of the order by e-mail in future.

[ABHAY AHUJA, J.]

[R.D.DHANUKA, J.]