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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3278 OF 2019

Dr. Santosh Haribhau Thite

...Petitioner

Versus

Angarsiddha Shikshan Prasarak Mandal
Through Secretary

...Respondents

Mr. Swaraj S. Jadhav with Mr. Chetan Mali for the Petitioner.

Mr. V.N. Walawalkar, for the Respondent No.3 - Shivaji University.

Mr. P.N. Joshi, for Respondent No.4 - Solapur University.

Smt. P.N. Diwan, AGP for the Respondent No.5 - State.

CORAM : R.D. DHANUKA &
R.I. CHAGLA, JJ.

DATE : 12 July 2021

ORDER :

1. Leave to amend is granted to the Petitioner with regard to dates of communication in 4th line of the prayer clause (a). Amendment to be carried out forthwith. Reverification is dispensed with.

2. By this Petition, the Petitioner seeks an order or

direction in the nature of writ of certiorari inter- alia in the nature of setting aside and quashing the communications dated 26th July, 2011, 22nd August, 2015 and 21st May, 2018 rejecting the approval of the services of the Petitioner. The Petitioner also seeks an order and direction against Respondent No.4 – Solapur University to reconsider its decision of cancellation / withdrawal of approval to the services of the Petitioner.

3. We have heard learned Counsel for parties. Our attention is invited to the order dated 24th November, 2017 passed by the Division Bench of this Court in Writ Petition No.8626 of 2015 filed by Dr. Shailesh Shivdas Bhaisare Vs. Savitribai Phule Shikshan Prasarak Mandal & Ors. recording the statement made by learned Counsel for Shivaji University that the University had taken a decision that degree in Sericulture is equivalent to a degree in M.Sc Zoology. This Court accordingly was pleased to quash and set aside impugned order passed by Shivaji University and remanded the matter back to Shivaji University for considering grant of approval to the appointment of Petitioner in the light of the decision of the Shivaji University treating degree of M.Sc Sericulture to be

equivalent to degree of M.Sc. Zoology.

4. Mr. Joshi learned Counsel for the Solapur University fairly agrees that the said order would apply to the facts of this case also. He further states that if any proposal is submitted by the Petitioner through the Respondent No.2 college to the Respondent No.4 University as prayed for by the Petitioner in prayer clause (b), the Respondent No.4 University would consider the decision of the cancellation / withdrawal of approval to the services of the Petitioner in light of the order passed by this Court on 24th November, 2017 in Writ Petition No.8626 of 2015. Statement made by the learned Counsel for Respondent No.4 University is accepted.

5. Mr. Jadhav learned Counsel for the Petitioner states that he will apply for approval of the proposal through Respondent No.2 within two weeks from today to the Respondent No.4 University. Statement is accepted.

6. We have gone through the said order passed by this Court on 24th November, 2017 and are satisfied that the case of

the Petitioner is covered by the said order. We accordingly direct that if such proposal is made by the Petitioner through Respondent No.2 within two weeks from today, the Respondent No.4 University shall grant the approval to the proposal within four weeks thereafter and convey the approval to the Petitioner within one week from the date of such approval.

7. Writ Petition is disposed of in aforesaid terms.

There shall be no order as to costs.

[R.I. CHAGLA J.]

[R.D. DHANUKA, J.]