

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

57 WRIT PETITION NO.8746 OF 2022

ANIL YALLAPPA KATTE
VERSUS
DR. BABASAHEB AMBEDKAR MARATHWADA UNIVERSITY THROUGH
ITS REGISTRAR AND OTHERS

...
Advocate for Petitioner : Mr. S. V. Deshmukh
AGP for Respondent No.4-State : Mr. S. G. Sangle
...

WITH
CA/12861/2022 IN WP/8746/2022

...
CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.

DATE : 13th September, 2022

PER COURT :

1. Civil Application No.12861 of 2022 has been preferred to impugn a subsequent order passed by the Joint Director dated 23/08/2022. Since the application is filed at a pre-notice stage, the same is allowed. Amendment be carried out within one week.
2. The petitioner has put forth prayer Clauses 'B' and 'C' as under:-
(B) To issue Writ of Mandamus or any other appropriate Writ, order or directions in the like nature the impugned notice dated

26.7.22 and 7.6.22 issued by the Respondent No.1 (Exh-A) may kindly be quashed and set-aside.

(C) Pending the hearing and Final disposal of the Writ Petition the impugned notice dated 26.7.22 and 7.6.22 issued by the Respondent No.1 (Exh-A) may kindly be Stayed.

3. The petitioner joined as a Lecturer in English subject on 29/08/1992 with effect from 01/09/1992 at the S. P. College, Bhoom. Since then he is in employment and his services have been approved. On a complaint filed by the Youth President of the Republican Party of India (A), dated 01/02/2022, the Dr. Babasaheb Ambedkar Marathwada University, Aurangabad, has issued a notice on 26/07/2022 calling upon the petitioner to explain as to why his approval should not be cancelled. A further notice for a personal hearing has been issued on 26/07/2022. Grievance is that the petitioner's service is put in jeopardy at the behest of a political leader by assailing his date of joining duties which is 30 years ago.

4. Issue notice to the respondents, returnable on 17/10/2022. The learned AGP waives service of notice on behalf of respondent No.4.

5. Until further orders, the impugned notices dated 07/06/2022, 26/07/2022 and 23/08/2022 shall stand stayed and no adverse action shall be initiated against the petitioner.

6. The petitioner shall tender copies of the petition paper book for issuance of notice, on or before 21/09/2022, failing which, the ad-interim protection granted shall stand vacated without further reference to the Court on 22/09/2022.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

gawade/-.