

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO.3674 OF 2021

Dr. Bhaskar Haribhau Jangale

...Petitioner

Vs.

The Secretary, Naigaium Education Society,  
Mumbai & Ors.

...Respondents

WITH  
INTERIM APPLICATION NO.15 OF 2022  
IN  
CIVIL WRIT PETITION NO.3674 OF 2021

Mahipati D. Satale

...Applicant/Intervenor

Vs.

Dr. Bhaskar Haribhau Jangale & Ors.

...Respondents

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Mr. Vaibhav R. Gaikwad for the Petitioner.  
Mr. Sagar G. Talekar for Respondent No.1.  
Mr. Rajendra Anbhule for Respondent No.3.  
Mr. N. K. Rajpurohit , AGP for Respondent-State.  
Mr. S. S. Kanetkar for Intervenor.  
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CORAM : NITIN JAMDAR &  
AMIT BORKAR, JJ.

DATED : 10 JANUARY 2022.  
(Through Video Conferencing)

**P.C. :**

Heard learned counsel for the parties. Dispute raised in this petition is regarding non-recommendation of the Petitioner to the post of Professor by the Selection Committee.

2. Two advocates are representing the Respondent No.1 and Respondent No.2-Secretary and Principal of the Educational Institute where the Petitioner is working. This is so because there is dispute within the management of Respondent No.1 Education Society. According to the Intervenors, the management is supporting the Petitioner and according to the learned Advocate for the Respondent Nos.1 and 2, the management is opposing the Petitioner. The learned counsel for Respondent- University on instructions, has raised a third angle stating that the letterhead used for the impugned decision is prepared as if the Selection Committee is of the University when it is only of the management.

3. The position is whether the Petitioner is really qualified to be recommended to the post of the professor is in dispute. Considering that the Petitioner, Intervenor and the University have a grievance about the impugned action, when it was put to learned counsel for the parties, these were agreeable to set aside the impugned selection committee report and constitute fresh selection committee as

per rules. In light thereof it is not necessary to elaborate the issue in dispute. The impugned decision dated 14 January 2021 is quashed and set aside. Selection Committee be constituted as per the relevant UGC Guidelines and the Government Resolution to assess the performance of the Petitioner. We direct the Respondent-University, since there appears to be dispute within the Management, to oversee the selection/recommendation of the Petitioner.

4. The impugned order is set aside, with the above observations. Writ Petition is disposed of. Intervention Application stands disposed of.

**(AMIT BORKAR, J.)**

**( NITIN JAMDAR, J.)**