

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.12072 OF 2022

Dr. Nitin Jaglal Untwal,
Age 42 yrs., Occ. Presently Nil,
R/o House No.5-12-42, Padampura,
Aurangabad.

... Petitioner

... **Versus** ...

- 1 The Union of India,
 Through the Ministry of Education,
 Secretary, Department of Higher
 Education, 127-C, Shastri Bhavan,
 New Delhi.
- 2 The University Grants Commission,
 Through it's Secretary,
 Bahadurshaha Jafar Marg,
 Government of India, New Delhi.
- 3 The Secretary,
 Higher & Technical Education Department,
 Government of Maharashtra, Mantralaya,
 Mumbai – 32.
- 4 The Maharashtra National Law University,
 Through it's Vice Chancellor,
 Sambhaji Sainik School,
 Nath Valley Road, Kanchanwadi,
 Aurangabad.
- 5 The Maharashtra National Law University,
 Through it's Registrar,
 Sambhaji Sainik School,
 Nath Valley Road, Kanchanwadi,
 Aurangabad.

- 6 Dy. Y.V. Ramanna Murthy,
Age Major, Occ. Service as
Associate Professor (Finance)
at Maharashtra National Law
University, Sambhaji Sainik School,
Nath Valley Road, Kanchanwadi,
Aurangabad.

... **Respondents**

...

Mr. S.D. Joshi, Advocate for petitioner

Miss. Nikita N. Gore, Advocate for respondent No.1

Mr. S.W. Munde, Advocate for respondent No.2

Mr. A.M. Phule, AGP for respondent No.3

Mr. S.K. Kadam, Advocate for respondent Nos.4 and 5

Mr. A.R. Joshi, Advocate for respondent No.6

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**CORAM : SMT. VIBHA KANKANWADI
ABHAY S. WAGHWASE, JJ.**

RESERVED ON : 10th AUGUST, 2023

PRONOUNCED ON : 05th SEPTEMBER, 2023

JUDGMENT : (PER : SMT. VIBHA KANKANWADI, J.)

1 Present petitioner challenges the selection and appointment to the post of Associate Professor of Management (Finance) at Maharashtra National Law University, Aurangabad. By invoking Articles 14, 16 and 226 of the Constitution of India he challenges the order of appointment of

respondent No.6 on the said post by respondent Nos.4 and 5 University, thereby he is demanding issuance of writ of certiorari, writ of mandamus or any other appropriate writ.

2 The petitioner contends that he is qualified as Ph.D., M.B.A. (Finance), M.A. (Economics). He had qualified for the University Grants Commission (hereinafter referred to as “UGC”) State Eligibility Test in subjects of Commerce and Management in the year 2013 and 2016 respectively. He has served as Associate Professor (Finance) at G.S.P.M. College, Pune. His total experience on the teaching side is about 9½ years, out of which he has served in the capacity as Associate Professor (Finance) for a period of four year. Lastly, he was working at M.I.T. Aurangabad. He was in search of a permanent job in a Government institution and then he came across the advertisement dated 10.08.2021 published by respondent No.5 inviting the applications for 08 posts including the post of Associate Professor of Management (Finance) in the pay scale as per 7th CPC at academic level 13A with rationalized entry pay of Rs.1,31,400/-. It was the solitary post to be filled in the form of unreserved category. The petitioner applied for the said post by proper channel. Thereafter, under communication dated 08.03.2022 the respondent No.5 had issued the call letter for interview to him and asked him to remain present for the said

interview on 26.03.2022 at 11.00 a.m. at Hotel Benchmark (Wockhardt Training Centre, Nakshtrawadi, Paithan Road, Aurangabad). He caused his appearance for the interview as per the letter and it was found that about 08 applications were received for the said post and after scrutiny only 03 persons were called for the interview. Those three persons were the petitioner, respondent No.6 and one Dr. Ruchi Bhandari. The interview was taken, however, for a considerable time the result was not declared. In the second week of May, 2022, he gave complaint in respect of same to UGC and then the Section Officer of UGC gave communication to National Law University, Aurangabad. Thereupon it was informed by respondent No.5 that it has constituted scrutiny committee/screening committee to scrutinize the applications. 08 applications were received and then the selection committee duly constituted as per UGC had conducted the interview and selected respondent No.6 as a rank first candidate, second was Dr. Ruchi Bhandari and the petitioner was third. The petitioner contends that from the E-mail which he had received the language employed made him to believe that the process of selection was not taken in accordance with the norms set out by the UGC under the Notification dated 18.07.2018. According to the petitioner, respondent No.5 had replied his third point i.e. in respect of "The Academic Performance Indicator score sheet of all candidates with Scrutiny Committee Report", which is sought to procure under the Right to Information Act. But

the said reply said that in the said selection process, the API score was only used for the purpose of shortlisting the candidates, who have applied for the said post and that the API score was not part of the criteria for the assessment of the candidates during interview by the selection committee as mentioned above. The petitioner contends that the thrust of the petitioner was on API as was highlighted in the UGC Regulations, 2018 and that it was to carry 75% weightage while making assessment of the candidates, meaning thereby only 25% weightage was to be given to the interview and the marks to be allotted at the time of interview. According to petitioner, the University i.e. respondent No.5 has given a total go bye to API of the petitioner and the other candidates and based their selection only on the basis of the interviews. The other two candidates at the merit position of Nos.1 and 2 were having acquaintance with few members of the selection committee as both the candidates were the colleagues of faculty in other universities at NALSAR University of Law, Hyderabad and N.L.U. Jodhpur. The petitioner is relying on the selection and screening criteria adopted by Chhatrapati Shahuji Maharaj University, Kanpur and Siddharth University, Kapilvastu, Siddharthnagar, which say that 80% marks to be given to API and 20% for the interview. According to the petitioner, on the backdrop of the facts and circumstances he has narrated that the respondents have violated the UGC Regulations, 2018 by giving 100% weightage to the interview which has

prejudicially affected him. He says that he is relying on the decision in **Ashok Kumar Yadav vs. State of Haryana and others** [1985(4) SCC 417] in support of his contentions. For the grounds narrated in the petition he has prayed for the appropriate writs to be issued.

3 Affidavit-in-reply on behalf of respondent No.2 has been given by Dr. Supriya Dahiya, serving as Education Officer in the Government of India, has stated that respondent Nos.4 and 5 have based their selection purely on the basis of interview. She has stated that as per clause 4.1 (II) of UGC Regulations, on Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance and Standards in Higher Education, 2018, the UGC has amended all its circulars/letters/public notice from time to time and it is necessary and mandatory to follow them.

4 Affidavit-in-reply on behalf of respondent Nos.4 and 5 has been filed by Dhanaji Mukundrao Jadhav, Registrar, Maharashtra National Law University, Aurangabad, upon the authorization to him. He submits that the selection and appointment of respondent No.6 for the said post is as per the UGC Regulations. In the advertisement that was published, the eligibility criteria was laid down. It was made known that a duly constituted Screening

and Evaluation Committee would verify the applications and shortlist the candidates for interview. The petitioner appears to be under mistaken impression that the University has not adopted the mandatory tables in the UGC Regulations and not followed the same. In fact, the UGC authorities have not found any fault in the selection process. The eligibility criteria also says that there is a desirable qualification for the post in question i.e. Teaching Experience in National Law University or Indian Institute of Management. The petitioner has no such experience, but respondent No.6 has the said experience. He was a permanent faculty at NALSAR University of Law, Hyderabad and also a visiting faculty at IIM Shilong and IIM Kashipur. The petitioner appears to have served for 07 private unaided degree colleges. The said experience is also therefore counted. The petitioner himself had subjected to interview and, therefore, he cannot now challenge the process. He cannot claim that the weightage for the API score and interview should have been taken together. The selection committee consists of eminent experts and academicians. The deponent has stated about the achievements achieved by respondent No.6 and has given in short as to how he was the suitable candidate. The entire selection process has been videographed. The decision in **Ashok Kumar Yadav** (supra) will not be applicable to the facts of the present case as the said case dealt with the appointments of Clerks, Stenos and Ministerial staff. He, therefore, prayed

for dismissal of the writ petition as it is coupled with mala fides.

5 Affidavit-in-rejoinder has been filed by the petitioner and he has tried to give the answer in the points raised in the affidavit-in-reply on behalf of respondent Nos.4 and 5. He has rather reiterated the points he wanted to say in the petition and, therefore, we do not want to reproduce the same.

6 Affidavit-in-reply has also been filed by respondent No.6, whose selection has been challenged. Respondent No.6 in affidavit-in-reply has given the list of his achievements, publications, educational qualification, experience in the field and then stated that the petitioner was aware about the conditions/terms, which were stated in the advertisement. He had subjected himself to the process and, therefore, he is estopped from challenging the conditions. The provisions concerning API score/research are meant only for the purpose of shortlisting of candidates and not for the purpose of final selection. The allegations concerning non compliance of relevant norms are merely speculative in nature. His selection is on the basis of UGC norms and there is no violation in respect of the same. Respondent No.6 has attached documents to support the affidavit.

7 Again the petitioner has given affidavit-in-rejoinder to the affidavit-in-reply filed by respondent No.6 and reiterated his own points and

also placed on record the communication by UGC dated 08.08.2022 stating that the UGC Regulations are applicable to all the universities.

8 Additional affidavit has been filed on behalf of respondent Nos.4 and 5 to bring further few facts on record. It is then stated that there were 10 heads of allotment of marks in the interview and each head carries ten marks and communication to that effect dated 01.06.2022 was clear enough. The petitioner has placed the reliance on the order passed by Hon'ble Governor/Chancellor of State of Uttar Pradesh, Lucknow dated 18.03.2021.

9 Again additional affidavit has been filed by the petitioner for production of order passed by Hon'ble Governor on 18.05.2021 and stated that rules have been framed for the selection of posts like Associate Professor, Joint Professor and Professor and depending upon the academic performance of the candidates, marks were to be allotted out of the maximum stipulated under the head. Only 10% of the marks were provided for the interview. And lastly, there is one more additional affidavit on behalf of the petitioner reiterating decision in **Ashok Kumar Yadav** (supra), allotment of marks and how the said case has a binding precedents over the selection processes.

10 With the above said background or facts of the case we have heard learned Advocate Mr. S.D. Joshi for the petitioner, learned Advocate

Miss. Nikita N. Gore for respondent No.1, learned Advocate Mr. S.W. Munde for respondent No.2, learned AGP Mr. A.M. Phule for respondent No.3, learned Advocate Mr. S.K. Kadam for respondent Nos.4 and 5 and learned Advocate Mr. A.R. Joshi for respondent No.6.

11 Learned Advocate for the petitioner has taken us through the recruitment notification/advertisement issued by Maharashtra National Law University, Aurangabad dated 10.08.2021, especially in respect of post of Associate Professor of Management (Finance). The said advertisement speaks about the eligibility criteria and also the desirable qualification. Thereafter, he has taken us through the general instructions also and also pointed out the UGC notification dated 18.07.2018. It prescribes minimum qualification for the post of Senior Professor, Professors and Teachers and other Academic Staff in Universities and Colleges. Rule 1.2 prescribes that “Every University or institution deemed to be University, as the case may be, shall as soon as may be, but not later than within six months of the coming into force of these Regulations, take effective steps for the amendment of the statutes, ordinances or other statutory provisions governing it, so as to bring the same in accordance with these Regulations.” Maharashtra National Law University was established in 2017 at Aurangabad and, therefore, ought to have formulated its own rules, regulations prescribing the minimum

qualifications for all the posts till then the UGC regulation is binding on MNLU. MNLU regulations then prescribes for table 1 and 2 which deal with assessment criteria and methodology for University/College teachers and methodology for University and College teachers for calculating academic/research score. Rule 6.1 of the said UGC regulation deals with Assessment Criteria and Methodology. Sub-clause (a) says that – “Tables 1 to 3 of Appendix II are applicable to the selection of Assistant Professors/Associate Professors/Professors/Senior Professor in Universities and Colleges”. Rule 6.2 prescribes that - “The constitution of the Selection Committees and Selection Procedure as well as the Assessment Criteria and Methodology for the said cadres, either through direct recruitment or through Career Advancement Scheme, shall be in accordance with the UGC Regulations”. Therefore, taking into consideration these regulations it appears that the Table No.1 i.e. stage No.I is not properly followed. Learned Advocate for the petitioner reiterated, the pleading of the petitioner that 80% weightage ought to have been given to API and 20% in Stage II i.e. interview ought to have been given and then while making the final selection the stage I should have been taken with stage II, otherwise if the selection was to be only on the basis of the marks in the interview i.e. stage II, then it would be against the mandate laid down in **Ashok Kumar Yadav** (supra). **Ashok Kumar Yadav** (supra) has been followed thereafter in many cases and, therefore, it

has to be taken as decision laying down ratio to be followed.

12 Learned Advocate for the petitioner is relying on Chhatrapati Shahuji Maharaj University, Kanpur Regulations as well as Siddharth University, Kapilvastu, Siddharthnagar. Copies of the said regulations/notifications have been produced on record. He has also produced the order dated 18.05.2021 passed by Hon'ble Governor, Uttar Pradesh, on the basis of which these two Universities had adopted those regulations. Further, we would like to say that the contents of various affidavits on behalf of the petitioner have been reiterated by way of submissions by the learned Advocate for the petitioner and, therefore, we are not reproducing the same.

13 Learned Advocate for the petitioner has taken us through the Constitutional Bench decision in **Ashok Kumar Yadav** (supra) and he submits that he would be relying on the observations from paragraph Nos.26 to 29, wherein the Hon'ble Supreme Court had taken note of as to how high allocation of marks to the viva voce tests would be prejudicial to some of the candidates and would lead to arbitrariness. He further submits that the petitioner is not challenging the selection process after participating in the process, but he is pointing out misconstruction of statutory rules and

discriminating consequences arising therefrom. He relied on **Dr. (Major) Meeta Sahai vs. State of Bihar and others [(2019) 20 SCC 17]**, wherein it was held that -

“17. However, we must differentiate from this principle insofar as the candidate by agreeing to participate in the selection process only accepts the prescribed procedure and not the illegality in it. In a situation where a candidate alleges misconstruction of statutory rules and discriminating consequences arising therefrom, the same cannot be condoned merely because a candidate has partaken in it. The constitutional scheme is sacrosanct and its violation in any manner is impermissible. In fact, a candidate may not have locus to assail the incurable illegality or derogation of the provisions of the Constitution, unless he/she participates in the selection process.”

He ultimately submitted that the petition be allowed in terms of prayer clause ‘A’ to ‘E’.

14 Learned Advocate Mr. S.K. Kadam representing the University i.e. respondent Nos.4 and 5 vehemently submitted that the eligibility of a candidate is different from suitability. He has also taken us through the advertisement/recruitment notification and submitted that in clause B(2) which was in respect of ‘Associate Professor of Management (Finance)’, eligibility was expressed. Sub clause (vi) prescribes that the ‘Desirable Qualification’ was Teaching Experience in National Law University (NLUs) or

Indian Institute of Management (IIMs). Sub clause (i) to (v) of the said eligibility criteria prescribe that a total research score of seventy five as per the criteria given in UGC Regulations, July 2018 as per Appendix II, Table 2 would be given and the petitioner had fulfilled the said criteria and, therefore, the call letter was given to the petitioner. At that time the 'desirable qualification' as one of the rules was not considered, but it was made known to the candidate that the University is looking for a suitable candidate having such 'desirable qualification'. Learned Advocate Mr. S.K. Kadam has also taken us through the affidavit filed on behalf of respondent Nos.4 and 5 and submitted that the selection committee was appointed and then the interviews have been taken. The entire process was transparent and as per the UGC Regulations, 2018. After submitting himself to the process the petitioner has unnecessarily challenging the entire process as well as the selection of respondent No.6. It appears that the entire exercise is with mala fide intention. Even the UGC has not found any fault with the process.

15 Learned Advocate representing UGC submitted that UGC is not finding the advertisement in violation of its rule and has also seen that the transparency is maintained.

16 Learned Advocate for respondent No.6 submits that respondent

No.6 has been duly selected. The petition appears to be speculative in nature. The interview procedure has been challenged which he cannot, how much marks were to be allotted out of the prescribed marks was with the selectors. Further, it appears from the petition that petitioner has expressed mala fides against many persons, but they have not been made as a party, so also, in fact, the petitioner was at Sr.No.3. He has not made Sr.No.2 i.e. Miss. Ruchi Bhandari as party. Under the said circumstance, the prayers in the writ petition cannot be granted.

17 All the Advocates representing the respondents have submitted that the facts in the decision of **Ashok Kumar Yadav** (supra) are not applicable to the facts of this case. The observations in **Ashok Kumar Yadav** (supra) were dependent on the rules and regulations which were found to be not followed, but, here, UGC Regulations have been followed and, therefore, even the decision in **Dr. Meeta Sahai** (supra) will not be helpful to the petitioner.

18 At the outset, we would like to say that there is no dispute as regards a fact that Maharashtra National Law University is governed by UGC Regulations as regards appointment to the post of Associate Professor of Management (Finance). There is no dispute that after clearing the first stage

by the petitioner he was called for the interview, in other words, he had secured the desirable marks in API score. Now, he has raised a point that the API score should have been added to the second stage i.e. the interview also and the selection should not have been only on the basis of the interview. We have gone through the decision in **Ashok Kumar Yadav** (supra). Before turning to paragraph No.26 onwards relied by the learned Advocate for the petitioner, in para No.22 the facts were narrated. In that case it was observed that the Punjab Civil Service (Executive Branch) Rules, 1930 were applicable to State of Haryana and in Rule 9 certain marks were prescribed, in which the categories of the candidates were made segregated. One of the categories was ex-service officer and the other one was general. Upon the scrutiny the Hon'ble Supreme Court felt that the marks allocated to viva voce tests for both the categories were different and, therefore, the percentage was different. That means, for ex-service officer, who was supposed to appear for five compulsory subjects, a written examination carrying 400 marks in aggregate and a viva voce test carrying 200 marks. Whereas, the general category candidate was required to appear for 08 subjects for written examination in the aggregate 700 marks and viva voce tests carrying 200 marks. This segregation and allocation of different marks was not approved. And in that background the observations from paragraph Nos.26 to 29 have been made. Here, in this case, there is no question of two different

categories. All were in one category and as aforesaid after clearing first stage the petitioner had come to the second stage. Even till he appeared for the interview, it appears that he had no objection for the procedure, because he is not coming with a case that he had taken any written objection with the concerned authorities. He has not produced any such background indicating that before his interview he had raised any written objection. The decision in **Madan Lal and others vs. State of Jammu and Kashmir and others [(1995) 3 SCC 486]** has been reiterated in **Dhananjay Malik and others vs. State of Uttaranchal and others [(2008) 4 SCC 171]**, wherein it has been observed that -

“9. Before dealing with this contention, we must keep in view the salient fact that the petitioners as well as the contesting successful candidates being concerned respondents herein, were all found eligible in the light of marks obtained in the written test, to be eligible to be called for oral interview. Up to this stage there is no dispute between the parties. The petitioners also appeared at the oral interview conducted by the concerned Members of the Commission who interviewed the petitioners as well as the concerned contesting respondents. Thus the petitioners took a chance to get themselves selected at the said oral interview. Only because they did not find themselves to have emerged successful as a result of their combined performance both at written test and oral interview, that they have filed this petition. It is now well settled that if a candidate takes a calculated chance and appears at the interview then, only because the

result of the interview is not palatable to him, he cannot turn round and subsequently contend that the process of interview was unfair or the Selection Committee was not properly constituted. In the case of *Om Prakash Shukla v. Akhilesh Kumar Shukla and Ors.*, (AIR 1986 SC 1043), it has been clearly laid down by a Bench of three learned Judges of this Court that when the petitioner appeared at the examination without protest and when he found that he would not succeed in examination he filed a petition challenging the said examination, the High Court should not have granted any relief to such a petitioner.”

19 He is relying on notifications of two Universities from Uttar Pradesh and the copies of the same have been produced on record, as well as the order passed by Hon’ble Governor, Uttar Pradesh dated 18.05.2021. In this connection, we can find the difference between the Kanpur University notification and Siddharth University notification. In Siddharth University, the total marks to be allotted appears to have been stated out of 100 i.e. 80 for basic academic score and API score + 20 for the interview = 100, for the post of Associate Professor. But in Chhatrapati Shahuji Maharaj University, Kanpur the last column of total has not been given. Though both of them are from Uttar Pradesh, they are allocating different marks for the post of Associate Professor. Kanpur University is referring that the said notification is in accordance with the Governor Secretariat, Uttar Pradesh order

No.3019/32-G.S./2020 dated 18.05.2021; E-4229/G.S. dated 02.07.2021 and UGC Regulations 2018 and, therefore, by oral directions the said order of the Hon'ble Governor was directed to be produced and it appears to have been issued in Hindi and post 'सहाय्यक आचार्य' has prescribed 100 marks out of that 10 is to be allotted to 'साक्षात्कार' i.e. interview and post of 'सह आचार्य एवं आचार्य' 20 marks are to be allotted to साक्षात्कार/interview. We are concerned with 'सह आचार्य' i.e. Associate Professor. Here, in this case, the petitioner has not produced on record any such similar order passed by Hon'ble Governor of Maharashtra, which would then be made applicable to Maharashtra National Law University, Aurangabad.

20 We find much substance in the submission on behalf of the University that eligibility is different from suitability. A suitable candidate should possess the requisite eligibility, but an eligible candidate may not be found suitable if further qualification is given or further term is added as to what is the desirable qualification or additional qualification. The University can definitely prescribe for higher benchmark and also the experience to get the best faculty for imparting education to the students and, therefore, in the advertisement itself it was prescribed that the desirable qualification would be teaching experience in NLUs or IIMs. Respondent No.6 has wide experience with NLUs as well as IIMs. It has been stated by respondent Nos.4

and 5 that with the said experience of respondent No.6 he was found to be suitable also. The petitioner cannot question as to how much marks were given to him as well as to respondent No.6, when he has subjected to the interview. Under the powers under Article 226 of the Constitution of India, this Court cannot sit over Appellate authority to the Selection Committee of Maharashtra National Law University.

21 The entire process was in fact based on the interview after the scrutiny was done by giving API score; in other words, there was no written examination. In **Lila Dhar vs. State of Rajasthan and others** [(1981) 4 SCC 159] it has been observed that -

“The competitive examination may be based exclusively on written examination or it may be based exclusively on oral interview or it may be a mixture of both. It is entirely for the Government to decide what kind of competitive examination would be appropriate in a given case. To quote the words of Chinnappa Reddy, J, “In the very nature of things it would not be within the province or even the competence of the Court and the Court would not venture into such exclusive thickets to discover ways out when the matters are more appropriately left” to the wisdom of the experts. It is not for the Court to lay down whether interview test should be held at all or how many marks should be allowed for the interview test. Of course the marks must be minimal so as to avoid charges of arbitrariness, but not necessarily always. There may be posts and appointments where the only proper method of selection may be by viva voce test. Even in the

case of admission to higher degree course, it may sometimes be necessary to allow a fairly high percentage of marks for the viva voce test. That is why rigid rules cannot be laid down in these matters by Courts. The expert bodies are generally the best judges. The Government aided by experts in the field may appropriately decide to have a written examination followed by a viva voce test.”

Therefore, when the committee for selection that was enacted in the entire process was an experts’ committee, then, now, the petitioner cannot have objection for the selection even on the basis of interview/viva voce.

22 Taking into consideration all these aspects, we hold that the petitioner has failed to show that the respondent Nos.4 and 5 have misinterpreted any clause or have violated the UGC Regulations. In fact, the UGC, who is the controlling authority itself, has not found that there is any violation of its rules dated 18.07.2018. It has also found that the transparency has been maintained by respondent Nos.4 and 5 while selecting respondent No.6 and, therefore, the petitioner can take advantage of the decision in **Dr. Meeta Sahai** (supra). Hon’ble Supreme Court taken a note of the decision of plethora of judgments including **Manish Kumar Shahi vs. State of Bihar and others** [(2010) 12 SCC 576], wherein it was reiterated that it is well settled that the principle of estoppel prevents a candidate from

challenging the selection process after having failed in it, however, the said principle was differentiated in so far as the candidate by agreeing to participate in the selection process only accepts the prescribed procedure and not the illegality in it. Here, the petitioner has failed to point out the said illegality and, therefore, the said selection does not violate Articles 14, 16 of the Constitution of India and, therefore, does not require any interference or exercise of the constitutional powers of this Court under Article 226 of the Constitution of India. No writ can be issued, as prayed, for the reasons stated above. As a result of which, the petition deserves to be dismissed. Accordingly, the writ petition stands dismissed.

(ABHAY S. WAGHWASE, J.)

(SMT. VIBHA KANKANWADI, J.)

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