

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

911 WRIT PETITION NO.14396 OF 2023

**SHRI S. S. PATIL ARTS AND SHRI BHAUSAHEB T. T. SALUNKE AND
OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS**

...

Advocate for Petitioners : Mr. P. R. Katneshwarkar
AGP for Respondents: M. M. Nerlikar
Advocate for Respondent No. 3 : Mr. Y. B. Bolkar h/f Mr. A. B. Girase
Advocate for Respondent No. 4 : Mr. A. D. Shinde

...

**CORAM : MANGESH S. PATIL
AND
NEERAJ P. DHOTE, JJ.**

DATE : 06.12.2023

PER COURT :

1. Heard learned advocate for the petitioner, learned AGP, learned advocate for respondent no. 3 – University as well as the learned advocate for respondent no. 4. We have also heard learned advocate, who has filed an application for intervention.

2. Irrespective of the fact that there are two factions claiming to be in power and holding the management, the proposal forwarded by the petitioner for sanction of a roster is awaiting decision by the University. In spite of the directions of the Director of Education, the University has not been able to take any decision.

3. Needless to state that even if there are several things/disputes in the management, when it is a matter of approval or sanction of a roster, the University may take over all view of the matter and decide as to whether approval is to be granted or otherwise. Without indulging in any such exercise, it has remained a silent spectator. This is nothing but abdication of the duties cast under the Maharashtra Public Universities Act.

4. We dispose of the petition by directing the respondent no. 3 to take appropriate decision on the petitioner's proposal for sanction/approval of the roster, as expeditiously as possible and in any case, by 22 December 2023.

(NEERAJ P. DHOTE, J.)

(MANGESH S. PATIL, J.)

SG Punde