



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

918 WRIT PETITION NO. 2482 OF 2024

SUNITA UTTAMRAO PAWAR

VERSUS

VASANTRAO NAIK MARATHWADA KRUSHI VIDYAPEETH
PARBHANI THROUGH ITS REGISTRAR

...

Mr. Sachin S. Deshmukh Advocate for Petitioner.

Mr. Vinayak D. Patnurkar Advocate for Respondent.

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**CORAM: SMT. VIBHA KANKANWADI AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 5th MARCH 2024

ORDER :

1. Present Petition has been filed for following reliefs:-

“(A) To hold and declare that, the petitioner is eligible for the purpose of promotion to the post of Associate Professor (Agronomy) with respondent university with further direction to promote the petitioner forthwith; and for that purpose, issue necessary directions.

(B) By issuing a writ of mandamus or any other appropriate writ, order or direction in the like nature direct the respondent and the constituted committee to decide the claim of the petitioner for the purpose of promotion i.e. post of Associate Professor (Agronomy) on the strength of the services rendered by the

petitioner forthwith; and for that purpose issue necessary directions.

(C) By issuance of appropriate writ or order in the like nature it may be directed to the respondent to decide the representation of the petitioner dtd. 17/1/2024 (Exh-E) forthwith; and for that purpose issue necessary directions. "

2. Learned Advocate Mr. Patnurkar waives notice for respondent.

3. It can be seen from the documents that the representation that has been made by the present petitioner with respondent on 17th January 2024 is pending and the learned Advocate for the respondent, upon instructions, makes a statement that it can be decided. Another fact to be noted is that the committee appears to have been constituted for the purpose, whether to consider the officiating appointment of the petitioner at the time of promotion. The constitution of the committee was ordered on 12th January 2024. As on today, learned Advocate for the respondent has no instructions as to whether the committee has submitted a report or not. But at the same time when the petitioner has made representation and it is pending, the present Petition can be disposed of by issuing directions to the

respondent to decide the representation of the petitioner within a stipulated period. Hence we pass following order:-

ORDER

(I) The Writ Petition stands disposed of by giving following directions:-

(A) Respondent to decide the representation of the petitioner dated 17th January 2024, within a period of four weeks from today.

(B) Respondent should give copy of the decision to the petitioner immediately after the decision is taken. So also the copy of the report of the committee be also given to the petitioner.

(II) We have not expressed anything on merits of the matter and therefore, depending upon the report, the petitioner would be at liberty to challenge any of the order.

[S.G. CHAPALGAONKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE