



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CONTEMPT PETITION NO.775 OF 2024**

Prasanna Bhalchandra Vaidya,
Age: 53 Years, Occ. Service as Head Clerk,
R/o Behind Hotel Vishwamitra,
Ramnagar, Dist. Latur.

..Petitioner

Versus

Dr. Ranjit K. Nimbalkar,
Age: Major, Occ. Service as Joint Director,
R/o Office of Joint Director, Higher Education,
Near Deogiri College, Station Road,
Chh. Sambhajinagar (Aurangabad)

..Respondents

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Mr. M. C. Swami, Advocate for the Petitioner.
Mr. A. D. Wange, AGP for Respondent-State.

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**CORAM : SMT. VIBHA KANKANWADI AND
S. G. CHAPALGAONKAR, JJ.
DATED : 22nd OCTOBER, 2024.**

ORDER (Per S. G. Chapalgaonkar, J):-

1. The petitioner has approached this Court under Article 215 of the Constitution of India alleging contempt of order dated 18.01.2024 passed by the Grievance Committee in Complaint No.1/2022 and seeks to take action against respondent.

2. Mr. Swami, learned Advocate appearing for petitioner submits that Grievance Committee constituted under the provisions of Section 79 of the Maharashtra Public Universities Act, 2016 has passed order directing respondent no.3-Joint Director of Higher Education, Aurangabad (Chh. Sambhajinagar) to release salary of the complainant for the period from 1997 to 2005 amounting to Rs.7,44,893/- and respondent no.4 is directed to pay above amount to the petitioner/complainant together with interest @ 6% per annum till its full realization within the period of two

months, otherwise amount would carry interest @ 12% per annum. Mr. Swami submits that although period stipulated under order dated 18.01.2024 is over, the respondent has failed to release the amount in pursuance to the directions of Grievance Committee. According to him, the respondent is liable to be dealt under the provisions of Contempt of Courts Act as well as constitutional powers of this Court under Article 215 of the Constitution of India.

3. The learned A.G.P. raises preliminary objection that Grievance Committee is constituted under Maharashtra Public Universities Act. It cannot be considered as “Court” for Contempt of Courts Act. Therefore, no action can be taken under the Act of 1971.

4. Faced with the aforesaid objections, the learned Advocate appearing for the petitioner submits that the Grievance Committee is a statutory body formulated under Section 79 of the Maharashtra Public Universities Act for the purpose of adjudicating grievances or disputes between employees of educational institutions or universities, which are not covered under the powers of the Tribunal constituted under the said Act. All the trappings of Court can be observed in the proceeding before the Grievance Committee. The Grievance Committee is empowered to record evidence, adjudicate on disputes and give definitive judgment. Therefore, Grievance Committee will have to be recognized as “Court” within the meaning of Contempt of Courts Act.

5. On, *prima facie*, consideration of submissions advanced by the learned Advocates appearing for the respective parties, we find that Grievance Committee is constituted under Maharashtra

Public Universities Act for the purpose of adjudication of the disputes, which are beyond jurisdiction of the Tribunal. The Grievance Committee exercises powers of the Civil Court so far as recording of evidence, issuance of witness summons etc.. The decision rendered by the Grievance Committee is binding on parties subject to final decision in Appeal by the Tribunal. *Prima facie*, Grievance Committee exercises judicial powers of the State to maintain and uphold rights. Therefore, keeping all the points open, we are inclined to issue simple notice to the respondent, returnable on 03.12.2024.

(S. G. CHAPALGAONKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE