

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 4748 OF 2018

Nanda Raghunath Ahire

... Petitioner

V/s.

Satish Pradhan Dnyansadhana College of
Arts, Science and Commerce through its
Principal and Ors.

... Respondents

with

WRIT PETITION NO. 4749 OF 2018

Satish Sudhakar Madle

... Petitioner

V/s.

Satish Pradhan Dnyansadhana College of
Arts, Science and Commerce through its
Principal and Ors.

... Respondents

with

WRIT PETITION NO. 4750 OF 2018

Malhari K. Shirtode

... Petitioner

V/s.

Satish Pradhan Dnyansadhana College of
Arts, Science and Commerce through its
Principal and Ors.

... Respondents

with

WRIT PETITION NO. 4751 OF 2018

Priti Ravindra Khandare-Nikte

... Petitioner

V/s.

Satish Pradhan Dnyansadhana College of
Arts, Science and Commerce through its
Principal and Ors.

... Respondents

with
WRIT PETITION NO. 4752 OF 2018

Sugandha S. Pawaskar

... Petitioner

V/s.

Satish Pradhan Dnyansadhana College of
Arts, Science and Commerce through its
Principal and Ors.

... Respondents

with
WRIT PETITION NO. 4753 OF 2018

Manjushree A. Shendre

... Petitioner

V/s.

Satish Pradhan Dnyansadhana College of
Arts, Science and Commerce through its
Principal and Ors.

... Respondents

with
WRIT PETITION NO. 4754 OF 2018

Anand S. Yadav

... Petitioner

V/s.

Satish Pradhan Dnyansadhana College of
Arts, Science and Commerce through its
Principal and Ors.

... Respondents

with
WRIT PETITION NO. 4755 OF 2018

Sangeeta M. Onkeshwar

... Petitioner

V/s.

Satish Pradhan Dnyansadhana College of
Arts, Science and Commerce through its
Principal and Ors.

... Respondents

with

WRIT PETITION NO. 4756 OF 2018

Khan Mohammed Zia

... Petitioner

V/s.

Satish Pradhan Dnyansadhana College of
Arts, Science and Commerce through its
Principal and Ors.

... Respondents

with

WRIT PETITION NO. 4757 OF 2018

Mahesh B. Kulsange

... Petitioner

V/s.

Satish Pradhan Dnyansadhana College of
Arts, Science and Commerce through its
Principal and Ors.

... Respondents

Ms. Sanskruti Yadav i/b. Swaraj S. Jadhav for the Petitioners

Mr. T.D. Deshmukh for the Respondent No.1 in all Petitions

Mr. M.M. Pabale, AGP for Respondent – State in WP 4748/18 &
WP 4756/18

Ms. Nisha Mehra, AGP for Respondent – State in WP 4749/18

Mr. V.M. Mali, AGP for Respondent – State in WP 4750/18

Ms. Reena Salunkhe, AGP for Respondent – State in WP 4751/18

Ms. Ashwini Purav, AGP for Respondent – State in WP 4752/18

Mr. Siddheshwar Kalel, AGP for Respondent – State in WP 4753/18
& WP 4757/18

Ms. Tejas Kapre, AGP for Respondent – State in WP 4754/18

Ms. Pooja Joshi Deshpande, AGP for Respondent – State in WP
4755/18

***CORAM : NITIN JAMDAR &
DR. NEELA GOKHALE, JJ.***

DATE : 05 APRIL 2024

P.C. :-

Heard the learned Counsel for the parties.

2. The Petitioners are working with the Respondent No.1 – Management. They are challenging the order passed by the Deputy Director of Education dated 23 May 2017 rejecting the proposal sent by the Respondent No.1 – Management for approval of their appointments.

3. The learned Counsel for the Respondents states that the Respondent – Management is supporting the cause of the Petitioners. The learned Counsel for the Petitioners submitted that if the grounds in the impugned order were informed to the Petitioners and the Respondent No.2 in advance calling for an explanation they would have answered to the same as the Petitioners have explanation as for each of the grounds in the impugned order.

4. We find merit in this grievance. This Court in various order has directed the education authorities to give advance notice to the Management and the employees, as the case may be, calling for the explanation and to deal with the same, including the reliance on

the judicial pronouncements, if any. We intend to adopt the same course of action in the present case as well.

5. Accordingly, it is directed that the order dated 7 September 2018 shall be treated as a show cause notice. The Respondent – Management will submit its explanation and judicial pronouncements, if any. It is open to the Petitioners to submit explanation as well. The Deputy Director will deal with the same and pass a reasoned order. If the Respondent – Management and the Petitioner rely on any judicial pronouncements and the Deputy Director does not deal with the same in the impugned order, then the said conduct will be viewed seriously.s

6. The Writ Petitions are accordingly disposed of.

DR. NEELA GOKHALE, J.

NITIN JAMDAR, J.

JYOTI
PRAKASH
PAWAR

Digitally signed
by JYOTI
PRAKASH
PAWAR
Date:
2024.04.12
11:11:30 +0530