



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.3359 OF 2024

RAMADAS KS

..PETITIONER

VS

TATA INSTITUTE OF SOCIAL SCIENCES & ORS. ..RESPONDENTS

Mr. Mihir Desai, Senior Advocate with Ms. Lara Sesani, Ms. Rishika Agarwal for petitioner.

Mr. Madhur Rai i/b. PRS Legal for respondent no.1.

Mr. Rui Rodrigues a/w. Mr. Vinit Jain for respondent no.2.

Ms. Shilpa Kapil for respondent no.3 (UOI)

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 20th August 2024.

P.C. :

1. One of the contentions raised by the learned Senior Advocate for the petitioner is that pursuant to the show cause notice dated 7th March 2024 the petitioner submitted his reply on 20th March 2024. The matter was then considered by the Committee constituted by the first respondent. Its report dated 17th April 2024 was then submitted to the Competent Authority. The Competent Authority accepted the said report and on that basis the Officiating Registrar of the 1st respondent informed the petitioner on 18th April 2024 that the petitioner was being suspended from the Institute for a period of two years. Since the respondent no.1 has raised an objection of alternate

remedy of Appeal being available against the findings of the Committee, it would be necessary to gather which was the Competent Authority that accepted the report of the Committee. This is for the reason that the Appeal lies to the Director/Vice Chancellor of respondent no.1. If the Competent Authority is not the Director/Vice Chancellor, the remedy of filing an Appeal would be required to be availed.

2. The learned counsel for the respondent no.1 to file an affidavit indicating which was the Competent Authority that accepted the report of the Committee.

3. Stand over to 27th August 2024.

4. In the meanwhile, it is open for the respondents to file affidavit-in-reply.

5. Parties to act on an authenticated copy of this order.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]