



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION [CAW] NOS.1851 & 1524 OF 2024
IN WRIT PETITION NO. 3541 OF 2023.

Mohit Pramod Gawande and others.

-VERSUS-

State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri A.D. Mohgaonkar, Advocate for Petitioners.
Shri A.S. Fulzele, Addl. G.P. for Respondent Nos.1, 4 & 6.
Shri N.P. Lambat, Advocate for Respondent No.3.
Shri P.R. Puri, Advocate for Respondent Nos.2 and 5.
Shri P.S. Chauhan, Advocate for Respondent Nos. 7 and 8.

CORAM : VINAY JOSHI AND
M.S. JAWALKAR, JJ.

DATE : JULY 22, 2024.

Heard.

2. By Civil Application No.1851/2024,
petitioners seek certain amendment for adding
further prayers depending upon subsequent events.

3. Leave granted as prayed for. Necessary
amendment be carried out within three working
days and amended copy be supplied to other side.

Civil Application is accordingly disposed of.

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Civil Application (CAW) No.1524/2024.

Petitioners are teaching and non-teaching staff. They seek certain directions against respondents, in particular for payment of salary and to protect their services.

2. Petitioners are in the employment of respondent nos. 7 and 8 Technical Institution which is controlled by All India Council of Technical Education (AICTE). As per the prevailing norms, the Management has to annually undertake to apply for grant of extension of approval for the institution. The Management annually needs to submit requisite information by following on-line process within a stipulated period and with requisite fees. The entire process is to be followed in terms of the Approval Process Handbook.

3. It reveals that the Management has not paid the requisite fees which resulted into closure of

the proposal.

4. It is not in dispute that presently the teaching and non-teaching staff is working with the institution, as well as there are several students who are taking education. It is submitted that if annual approval is not granted, it would be against the interest of teachers, as well as students.

5. The learned Counsel appearing for AICTE would submit that if the fees are deposited, then further steps would be taken.

6. The learned Counsel for the Management would submit that interest of students is not at all affected, but, according to us, if the extension is not obtained, then stage wise classes in the institution would become defunct. Particularly we have taken note that the Management has neither applied for closure, and thus, they have to fulfill their obligations.

7. In view of above, by way of an interim measure, we direct respondent nos. 7 and 8 to deposit the requisite fees and complete the process

of extension within a period of two days from today. If within two days, fees is deposited, the AICTE shall accept the same and complete the remaining formalities. However, if they are any deficiencies, the same would be cured by the Management immediately to proceed further.

7. Civil Application is accordingly disposed of.

8. Copy of this order be furnished to learned Counsel for the parties to act upon.

JUDGE

JUDGE