



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.5045 of 2023

DR. SURESH S/O GULABRAO JADHAO

VS

VICE CHANCELLOR, MAHARASHTRA ANIMAL AND FISHERY SCIENCE
UNIVERSITY, NAGPUR AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Atul Mahajan, Advocate for the Petitioner/s

Shri Anand Parchure, Advocate for the respondent Nos.1 and 2

CORAM : ANIL S. KILOR, J.

DATE : 04.04.2024

1. Heard.
2. This petition takes exception to the order dated 27.04.2022, returning the appeal memo to be filed before the appropriate forum having competent jurisdiction.
3. The Appellate Authority, Maharashtra Animal and Fishery Sciences University, Nagpur vide impugned order has held that the Appellate Authority has no jurisdiction to deal with the subject matter of the appeal filed by the petitioner i.e. the challenge to the resolution passed by the Grievance Committee of the University on 01.10.2019.
4. Subsequent to the impugned order, the Co-ordinate Bench of this Court in Writ Petition No.2908 of 2021 (*Dr. Chandraprakash Dattarao Khedkar vs. the Hon'ble Chancellor and others*) decided on 05.05.2022, has held that under Statute 19(6) the appeal before the Appellate Authority, is maintainable.

5. Furthermore, after such judgment, the Government of Maharashtra issued a Government Resolution dated 21.07.2022 and empowered the University and College Tribunal to decide the such disputes and constituted the 'University and College Tribunal, Nagpur' by making the Statute 19(6) of Maharashtra Animal & Fishery Sciences University Statute, 2002, non-existence.

6. In the circumstances, since a remedy lies with the University and College Tribunal, the Writ Petition is **disposed of** with liberty to the petitioner to present the appeal before the University and College Tribunal.

[ANIL S. KILOR, J.]