



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3711 OF 2025

SHANKAR BHAGWAN AMBHORE
VERSUS
STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. Dixit Sushant V.
Addl.GP for Respondents/State : Mr. M. M. Nerlikar
Advocate for Respondent Nos. 3 and 4 : Mr. S. S. Tope

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CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

DATE : 18.03.2025

PER COURT :

. The petitioner is coming with the following prayers:-

- A) *For a writ of certiorari, order or directions in the nature of certiorari, letter dated 15.03.2025 issued by deputy registrar (academic) of respondent no. 3 as well as alleged order dated 15.03.2025 issued by respondent no. 4 withdrawing approval granted to appointment of petitioner as principal be called for and after examining legality, validity and propriety thereof, letter dated 15.03.2025 issued by deputy registrar (academic) of respondent no. 3 as well as alleged order dated 15.03.2025 issued by respondent no. 4 withdrawing approval granted to appointment of petitioner as principal be quashed and set aside.*

- B) *Pending hearing and final disposal of present writ petition, implementation, execution and operation of letter dated 15.03.2025 issued by deputy registrar (academic) of respondent no. 3 as well as alleged order dated 15.03.2025 issued by respondent no. 4 withdrawing approval granted to appointment of petitioner as principal be stayed.*
- C) *Ad interim reliefs in terms of prayer clause B.*
- D) *Pass such other orders which are necessary in the facts and circumstances of the case in favour of the petitioner.*

2. We have heard learned advocate for the petitioner, as well as the learned advocate for respondent No. 3 – the University.

3. The petitioner is taking exception to the impugned communication, purportedly issued pursuant to the decision taken by respondent No. 4 – the Pro Vice Chancellor of the University, in exercise of powers under Section 13(13)(f) of the Maharashtra Public University Act, 2016, thereby withdrawing approval granted to his appointment as a principal.

4. In our considered view, there is an efficacious remedy available in the form of a grievance committee, constituted under Section 79, which can be approached by the petitioner.

5. It is pertinent to note that even the decision of the grievance committee is susceptible to a further challenge in the form of an appeal under Section 81. There are no pleadings as to why this mechanism is being skipped by the petitioner while invoking the powers of this Court under Article 226 of the Constitution of India.

6. Practical difficulties being pointed out by the learned advocate for the petitioner can not be considered, for skipping the statutory remedy.

7. The writ petition is disposed of with liberty to the petitioner to resort to the remedy as discussed hereinabove.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

jhs/