



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.886 OF 2024

1. Dr. Dagadu Sakharam Talule,
Age: 42 years, Occu: Service.,
R/o. Plot No. 19, Suyog Park,
Adarshnagar, Nagar-Kalyan Road,
Ahmednagar.
2. Avinash Vijaykumar Karande.
Age: 34 years, Occu: Service.,
R/o. Dehare, Tq. and Dist: Ahmednagar.
3. Dr. Anand Arun Surse.
Age: 36 years, Occu:
R/o. Anand Niwas,
Behind Karandikar Hospital,
Wagh Mala, Ahmednagar.
4. Ganesh Gorakshnath Wakchaure.
Age: 30 years, Occu: Service,
R/o. Burhannagar,
Tq. and Dist: Ahmednagar.
5. Atul Vijay Adsure.
Age: 38 years, Occu:
R/o. Vilad, Tq. and Dist: Ahmednagar.
6. Sachin Vijay Kale.
Age: -- years, Occu:
R/o. Bramhangaon Bhand, Tq. Rahuri,
Dist: Ahmednagar.
7. Kishor Ashok Kshirsagar.
Age: 37 years, Occu: Service,
R/o. Shreyash Park, Madhavbagh,
Bhingar, Tq. and Dist: Ahmednagar.
8. Parshuram Vasant Kale.

Age: 30 years, Occu: service
R/o. Plot No. 87, Swagat Colony,
Datta Chowk, Bhushannagar,
Kedgaon, Ahmednagar.

....PETITIONERS

VERSUS

1. The State of Maharashtra
Through its Principal Secretary,
Higher and Technical Education
Department Mantralaya, Mumbai.
2. Director of Higher Education,
Maharashtra State, Pune.
3. The Joint Director of Higher Education,
Pune Region, Pune.
4. Savitribai Phule Pune University,
Ganeshkhind, Pune 411 007.
Through its Registrar.
5. Ahmednagar Zilla Maratha
Vidya Prasarak Samaj, Ahmednagar,
Laltaki Road, Ahmednagar.
Through its President/ Secretary.

....RESPONDENTS

....

AND
WRIT PETITION NO.864 OF 2024

Dipak S/o Shivaji Shelar,
Age-39 Yrs, Occu- Nil,
R/o. Tambhere, Tal. Rahuri
Dist, Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar,
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

**AND
WRIT PETITION NO.853 OF 2024**

Aparna D/o Damodhar Wagh,
Age-37 Yrs, Occu- Nil,
R/o. Vidya Nagar, Near Vitthal Temple,
Shevgaon Tal. Shevgaon,
Dist. Ahmednagar

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department

Mantrayala, Mumbai.

2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

**AND
WRIT PETITION NO.856 OF 2024**

Mudassar S/o Akthar Shaikh,
Age-34 Yrs, Occu- Nil,
R/o. 19-Vidya Sagar Colony,
Behind Market Yard,
Sarasnagar, Ahmednagar
Tal. & Dist, Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.

2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

**AND
WRIT PETITION NO.885 OF 2024**

Navnath S/o Bhausahab Chede,
Age- 33 Yrs, Occu- Service,
R/o. At Post Punewadi, Tal. Parner
Dist, Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.

3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
Ganeshkhind, Pune-411007
5. The Registrar
Savitribai Phule Pune University, Pune.
Ganeshkhind, Pune-411007
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

**AND
WRIT PETITION NO.8370 OF 2024**

Yogesh S/o Gulabrao Kadam,
Age- 37 Yrs, Occu- Service,
R/o At Post Bhatodi Pargaon,
Tal. & Dist, Ahmednagar.

....PETITIONERS

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.

3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

**AND
WRIT PETITION NO.8371 OF 2024**

Vaibhav S/o Wamanrao Godse,
Age- 40 Yrs, Occu- Nil,
R/o Flat No.207, Vasant Vihar Apartment,
Bagade Mala, Balikashram Road,
Ahmednagar Tal. & Dist, Ahmednagar.

....PETITIONERS

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.

4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

**AND
WRIT PETITION NO.8372 OF 2024**

Archana D/o Murlidhar Rohokale,
Age- 48 Yrs, Occu- Nil,
R/o. 11/1, Aai Benglow,
Behind Jadhav Lawn, Shivaji Nagar,
Kalyan Road, Ahmednagar,
Tal. Dist, Ahmednagar.

....PETITIONERS

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.

5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President,
Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

AND
WRIT PETITION NO.8379 OF 2024

Archana D/o Kantilal Adhav,
Age- 40 Yrs, Occu- Nil,
R/o. Arunoday Banglow,
Vaibhav Housing Society,
Behind Renavikar High School,
Savedi, Ahmednagar
Tal. Dist, Ahmednagar.

....PETITIONERS

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.

5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

AND
WRIT PETITION NO.8380 OF 2024

Kavita D/o Baban Mane,
Age- 33 Yrs, Occu- Nil,
R/o. At Post Baburdi Ghumat,
Tal. Dist, Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.

6. The President, Ahmednagar Jilla Maratha Vidya Prasarak Samaj, Lal Taki Road, Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha Vidya Prasarak Samaj, Lal Taki Road, Ahmednagar.

....RESPONDENTS

AND
WRIT PETITION NO.8373 OF 2024

Nilima D/o Laxman Vikhe,
Age-40 Yrs, Occu- Nil,
R/o 6106, Wable building, Bhakre Lane,
Sarjepura, Ahmednagar Pin-414001,
Tal. Dist, Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha Vidya Prasarak Samaj, Lal Taki Road, Ahmednagar.

7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

AND
WRIT PETITION NO.8375 OF 2024

Babasaheb S/o Kundlik Thorve,
Age- 35 Yrs, Occu- Nil,
R/o Plot No. 336, Maratha Nagar,
Nepti Road, Kedgaon, Ahmednagar
Tal. And Dist: Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
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Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,

Ahmednagar.

....RESPONDENTS

AND

WRIT PETITION NO.8374 OF 2024

Aparna D/o Arun Kulkarni,
Age- 49 Yrs, Occu- Service,
R/o A-1, Amrutwale Building,
Savedi Road, Ahmednagar
Tal. And Dist: Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

AND
WRIT PETITION NO.15379 OF 2023

Sanjay S/o Sukhdev Aher,
Age- 37 Yrs, Occu- Nil,
R/o. At Kanher Post Pokhari, Tal. Parner
Dist, Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

AND
WRIT PETITION NO.15274 OF 2023

Gangaram S/o Ganpat Langhi,

Age-31 Yrs, Occu- Nil,
R/o. At Post-Ratanwadi, Tq. Akole,
Dist, Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

AND

WRIT PETITION NO.15246 OF 2023

Suraj S/o Prabhakar Gaikwad,
Age- 35 Yrs, Occu- Nil,
R/o. Ashvi Khurd, Tal. Sangamner
Dist, Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

AND

WRIT PETITION NO.15230 OF 2023

Nishikant S/o Subhash Palaskar,
Age-36 Yrs, Occu- Nil,
R/o. Adarsh Nagar,
Near Sai Sharadha Building, Supa,
Tal. Parner Dist, Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

AND

WRIT PETITION NO.15245 OF 2023

Govind Shivajirao Deshmukh,
Age : 39 years, Occu. Nil,
R/o At Kadmoli, Post. Mohnal,
Tal. Chakur, Dist. Latur.

....PETITIONER

VERSUS

1. The State of Maharashtra

Through Secretary Higher and
Technical Education Department
Mantrayala, Mumbai.

2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

AND
WRIT PETITION NO.15232 OF 2023

Vishal S/o Gulabrao Salve,
Age-37 Yrs, Occu- Nil,
R/o. At Post Hanga, Tal. Parner
Dist, Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.

2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,
Pune.
4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

AND

WRIT PETITION NO.15262 OF 2023

Balasaheb S/o Bajirao Pawar,
Age- 49 Yrs, Occu- Service,
R/o. 13 Apurva Complex, Jamkhed Road,
Darewadi, Ahmednagar.

....PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary, Higher and
Technical Education Department
Mantrayala, Mumbai.
2. The Director of Higher Education,
Pune.
3. The Joint Director of Higher Education,

Pune.

4. The Vice Chancellor,
Savitribai Phule Pune University, Pune.
5. The Registrar
Savitribai Phule Pune University, Pune.
6. The President, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.
7. The Secretary, Ahmednagar Jilla Maratha
Vidya Prasarak Samaj, Lal Taki Road,
Ahmednagar.

....RESPONDENTS

....

AND

WRIT PETITION NO.14822 OF 2023

Dr Vishal Vitthal Gaikwad
Age. 42 yrs, Occu. Service
as Asst Professor on CHB basis,
R/o Venture City, Flat No.107,
Alandi Moshi road, Dudulgaon,
Tq. Haveli, Dist. Pune.

....PETITIONER

VERSUS

1. The State of Maharashtra,
Department of Higher and
Technical Education, Mantralaya
Mumbai.
[Through: The Secretary]
2. The Director of Higher Education,
Directorate of Higher Education,
412, E, Bahirat Patil Chowk,
Model Colony, Shivaji Nagar,

Pune 411016

3. The Joint Director,
Higher Education - Pune region,
Directorate of Higher Education,
412, E, Bahirat Patil Chowk,
Model Colony, Shivaji Nagar,
Pune 411016
4. Savitribai Phule Pune University,
[Through: The Registrar]
Ganesh khind, Pune-411007.
5. Ahmednagar Zilha Maratha
Vidya Prasarak Samaj Ahmednagar,
Tq. Dist. Ahmednagar,
[Through: The Secretary],
Lal Taki, Opp. Police Headquarters.
Nalegaon, Ahmednagar- 414001

....RESPONDENTS

AND

WRIT PETITION NO.14798 OF 2023

Ashish Dnyaneshwar Waghmare,
Age. 32 yrs, Occu. Nil,
R/o Flat No. 101, 60/1,
Balaji Sasneh building,
Siddhivinayak society, Jambhulwadi road,
Ambedgaon Kd,
Pune 411 046

....PETITIONER

VERSUS

1. The State of Maharashtra,
Department of Higher and
Technical Education, Mantralaya
Mumbai.
[Through: The Secretary]

2. The Director of Higher Education,
Directorate of Higher Education,
412, E, Bahirat Patil Chowk,
Model Colony, Shivaji Nagar,
Pune 411016
3. The Joint Director,
Higher Education - Pune region,
Directorate of Higher Education,
412, E, Bahirat Patil Chowk,
Model Colony, Shivaji Nagar,
Pune 411016
4. Savitribai Phule Pune University,
[Through: The Registrar]
Ganesh khind, Pune-411001.
5. Ahmednagar Zilha Maratha
Vidya Prasarak Samaj Ahmednagar,
Tq. Dist. Ahmednagar,
[Through: The Secretary],
Lal Taki, Opp. Police Headquarters.
Nalegaon, Ahmednagar- 414001

....RESPONDENTS

AND
WRIT PETITION NO.14796 OF 2023

Dr Vitthal Vaman Bhosale,
Age. 32 yrs, Occu. Service
as Asst Professor on CHB basis,
R/o A/p Vajrachoude, Tq. Tasgaon,
Dist. Sangli, Pin 416 408

....PETITIONER

VERSUS

1. The State of Maharashtra,
Department of Higher and
Technical Education, Mantralaya
Mumbai.
[Through: The Secretary]

2. The Director of Higher Education,
Directorate of Higher Education,
412, E, Bahirat Patil Chowk,
Model Colony, Shivaji Nagar,
Pune 411016
3. The Joint Director,
Higher Education - Pune region,
Directorate of Higher Education,
412, E, Bahirat Patil Chowk,
Model Colony, Shivaji Nagar,
Pune 411016
4. Savitribai Phule Pune University,
[Through: The Registrar]
Ganesh khind, Pune-411001.
5. Ahmednagar Zilha Maratha
Vidya Prasarak Samaj Ahmednagar,
Tq. Dist. Ahmednagar,
[Through: The Secretary],
Lal Taki, Opp. Police Headquarters.
Nalegaon, Ahmednagar- 414001

....RESPONDENTS

AND

WRIT PETITION NO.14833 OF 2023

Pranil Sharad Jagdale,
Age. 31 yrs, Occu. Service
as Asst Professor on CHB basis,
R/o Savitri Sadan, Champanagri,
Canal road, Jail road, Nasik road,
Nashik - 422 101

....PETITIONER

VERSUS

1. The State of Maharashtra,
Department of Higher and

Technical Education, Mantralaya
Mumbai.

[Through: The Secretary]

2. The Director of Higher Education,
Directorate of Higher Education,
412, E, Bahirat Patil Chowk,
Model Colony, Shivaji Nagar,
Pune 411016
3. The Joint Director,
Higher Education - Pune region,
Directorate of Higher Education,
412, E, Bahirat Patil Chowk,
Model Colony, Shivaji Nagar,
Pune 411016
4. Savitribai Phule Pune University,
[Through: The Registrar]
Ganesh khind, Pune-411001.
5. Ahmednagar Zilha Maratha
Vidya Prasarak Samaj Ahmednagar,
Tq. Dist. Ahmednagar,
[Through: The Secretary],
Lal Taki, Opp. Police Headquarters.
Nalegaon, Ahmednagar- 414001

....RESPONDENTS

AND
WRIT PETITION NO.14788 OF 2023
WITH
CIVIL APPLICATION NO.1022 OF 2024

Gurunath Chandrakant Kashivale,
Age. 37 yrs, Occu. Service
as Asst Professor [temporary],
R/o At Kashivale pada, Lenad Bk.
Post Gokulgaon, Tq. Shahpur,
Dist. Thane - 421 601

....PETITIONER

VERSUS

1. The State of Maharashtra,
Department of Higher and
Technical Education, Mantralaya
Mumbai.
[Through: The Secretary]
 2. The Director of Higher Education,
Directorate of Higher Education,
412, E, Bahirat Patil Chowk,
Model Colony, Shivaji Nagar,
Pune 411016
 3. The Joint Director,
Higher Education - Pune region,
Directorate of Higher Education,
412, E, Bahirat Patil Chowk,
Model Colony, Shivaji Nagar,
Pune 411016
 4. Savitribai Phule Pune University,
[Through: The Registrar]
Ganesh khind, Pune-411001.
 5. Ahmednagar Zilha Maratha
Vidya Prasarak Samaj Ahmednagar,
Tq. Dist. Ahmednagar,
[Through: The Secretary],
Lal Taki, Opp. Police Headquarters.
Nalegaon, Ahmednagar- 414001
-RESPONDENTS
- ...

Appearances of the learned advocates:

(1) WRIT PETITION NO. 886/2024

Shri R.N.Dhorde senior Adv a/w Shri P.S. Dighe, Adv i/by
Shri Saurabh P. Nimbalkar, Adv for Petitioners.
Shri A.B.Girase, G.P. for R/1 to 3. in all W.P.
Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/5

WITH

2) WRIT PETITION NO. 864/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/7

Shri S.S.Thombre, Adv for R/6.

WITH

3) WRIT PETITION NO. 853/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/7

Shri S.S.Thombre, Adv for R/6.

WITH

4) WRIT PETITION NO. 856/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/7

Shri S.S.Thombre, Adv for R/6.

WITH

5) WRIT PETITION NO. 885/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/7

Shri S.S.Thombre, Adv for R/6.

WITH

6) WRIT PETITION NO. 8370/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri S.S.Thombre, Adv for R/6.

WITH

7) WRIT PETITION NO. 8371/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri S.S.Thombre, Adv for R/6.

WITH

8) WRIT PETITION NO. 8372/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.
Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5
Shri S.S.Thombre, Adv for R/6.

WITH

9) WRIT PETITION NO. 8379/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.
Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5
Shri S.S.Thombre, Adv for R/6.

WITH

10) WRIT PETITION NO. 8380/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.
Shri S.S.Thombre, Adv for R/6.

WITH

11) WRIT PETITION NO. 8373/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.
Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5
Shri S.S.Thombre, Adv for R/6.

WITH

12) WRIT PETITION NO. 8375/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.
Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4
Shri S.S.Thombre, Adv for R/6.

WITH

13) WRIT PETITION NO. 8374/2024

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.
Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5
Shri S.S.Thombre, Adv for R/6.

WITH

14) WRIT PETITION NO.14822/2023

Shri Chaitanya V. Dharurkar, Adv for Petitioner.
Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4.
Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/5

WITH

15) WRIT PETITION NO. 14798/2023

Shri Chaitanya V. Dharurkar, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/5

WITH

16) WRIT PETITION NO. 14796/2023

Shri Chaitanya V. Dharurkar, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/5

WITH

17) WRIT PETITION NO. 14833/2023

Shri Chaitanya V. Dharurkar, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/5

WITH

**18) WRIT PETITION NO. 14788/2023 with
C.A.NO.1022/2024**

Shri Chaitanya V. Dharurkar, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/5

WITH

19) WRIT PETITION NO. 15379/2023

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/7

Shri S.S.Thombre, Adv for R/6.

WITH

20) WRIT PETITION NO. 15274/2023

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/7

Shri S.S.Thombre, Adv for R/6.

WITH

21) WRIT PETITION NO. 15246/2023

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/7

Shri S.S.Thombre, Adv for R/6.

WITH

22) WRIT PETITION NO. 15230/2023

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/7

Shri S.S.Thombre, Adv for R/6.

WITH

23) WRIT PETITION NO. 15245/2023

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/7

Shri S.S.Thombre, Adv for R/6.

WITH

24) WRIT PETITION NO. 15232/2023

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/7

Shri S.S.Thombre, Adv for R/6.

WITH

25) WRIT PETITION NO. 15262/2023

Shri P. R. Katneshwarkar, Senior Adv i/by Shri Mahesh S. Bhosale, Adv for Petitioner.

Shri V.P. Golewar, Adv, h/for Shri A.R. Joshi, Adv for R/4 and 5

Shri V.D. Hon Senior Adv i/by Shri A.V.Hon, Adv for R/7

Shri S.S.Thombre, Adv for R/6.

...

Shri A.B. Girase, Government Pleader, for the Respondents/
State Authorities in all these petitions.

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CORAM : MANGESH S. PATIL

&

PRAFULLA S. KHUBALKAR, JJ.

Reserved on : 06th January, 2025

Pronounced on : 09th April, 2025

JUDGMENT (Per Prafulla S. Khubalkar, J.) :-

1. Heard. Rule. Rule made returnable forthwith and heard finally by the consent of the parties.

2. Heard learned senior advocate Shri R.N. Dhorde i/b advocate Shri Pravin S. Dighe, learned senior advocate Shri P.R. Katneshwarkar i/b advocate Shri Mahesh S. Bhosle and advocate Shri C.V. Dharurkar for respective petitioners, and learned senior advocate Shri V.D. Hon i/b advocate Shri A.V. Hon, advocate Shri S.S. Thombre for the respondent Management in respective petitions , advocate Shri V.P. Golewar alongwith advocate Shri A. R. Joshi for the University in all the matters; and the learned Government Pleader Shri A. B. Girase for the respondents/ State Authorities in all the matters.

3. This bunch of petitions under Article 226 of the Constitution, concerns the recruitment process conducted by the Ahmednagar Zilla Maratha Vidya Prasarak Samaj (referred to as "the Management") for the post of Assistant Professors across 14 subjects in its senior colleges. Various petitioners have challenged the recruitment process, raising distinct claims based

on their individual grievances. The controversy primarily revolves around alleged irregularities and illegalities that occurred during the recruitment process, with some petitioners seeking the cancellation of the entire process, while others, who were selected, are demanding appointment orders.

4. Dealing with common challenges related to the fairness and legality of the recruitment process, the petitions have been consolidated and have been heard and are being decided together. Writ Petition no.886/2024 is filed by the unselected candidates, who have alleged gross irregularities and illegalities in the recruitment process, and seek cancellation of the entire selection process. Other 24 petitions, Writ Petition No.14245/2023 with connected matters and Writ Petition no. 14788/2023 with connected matters, are by the selected candidates, who claim fairness and transparency in the selection process and pray for issuance of appointment orders.

Factual Matrix:

5. For the sake of convenience and brevity, the facts as pleaded in Writ Petition no. 886 / 2024 narrating the sequence of events, treating it as a lead petition for narrating facts, are briefly

stated below :

- (i) Respondent No.5 is a granted educational institution, operating various colleges within the jurisdiction of Ahmednagar District and its surrounding areas.
- (ii) On 9th March 2023, Respondent No. 5 published an advertisement in the daily newspapers Indian Express and Loksatta, calling for applications to fill 47 posts of Assistant Professors' across 14 subjects in its senior colleges.
- (iii) The petitioners, along with other candidates, applied for the posts. A list of eligible candidates was published which included the names of the petitioners.
- (iv) The eligible candidates, including the petitioners, received call letters for interviews scheduled on July 7, 8, and 9, 2023.
- (v) Total 2,978 candidates were found eligible for the interview. The petitioners, along with other candidates, appeared for their interviews on the designated dates.
- (vi) On July 10, 2023, the petitioners submitted a complaint to the Secretary of Respondent No.5, alleging multiple illegalities and requesting the cancellation of the selection process. The specific

allegations *inter alia* include:

1. The selection committees conducted interviews without quorum and that common committee members were not present for all interviews, as required.
 2. The interviews lasted only for one to two minutes, and irrelevant questions were reportedly asked.
 3. Interview scores were recorded using pencils instead of pens, compromising the integrity of the process.
 4. Illegal demands for money were made in exchange by promising appointments.
- (vii) On 10/07/2023, by a separate letter signed by the Vice President, Joint Secretary, Treasurer and other trustees and members of Managing Committee of the Management, a compliant was submitted to respondent No.3/ Director of Education, Pune and respondent No.4/ Vice Chancellor of Pune University, alleging several illegalities in the recruitment process. This complaint also raised an issue that the reports of selection committees were belatedly forwarded although there was a mandatory requirement of forwarding the reports on the same day. By these letters, the above mentioned trustees

also made a request for conduct of an enquiry into whole affairs.

- (viii) On 13/07/2023, the above mentioned trustees submitted a letter to the Secretary of the Management calling upon it not to issue any appointment order in view of the gross illegalities in the entire recruitment process.
- (ix) On 13/07/2023, these trustees (14 persons including Vice President, Joint Secretary, Trustees and other members) moved a requisition of 'no confidence motion' against the President of the Trust, viz. Mr. Nandkumar G. Zaware.
- (x) With respect to the illegalities in the recruitment process, many other persons submitted separate complaints addressed to the Secretary of the Management of which copies were forwarded to other Government officials, pointing out various illegalities in the recruitment process including demands of huge amounts of money for assured appointments. The petitioners have filed on record complaint dated 15/07/2023 submitted by one Santosh Bhaskar Kokate alleging demand of Rs.55,00,0000/- by Shri Rahul Zaware the son of the earlier President Shri Nandkumar Zaware.
- (xi) Another complaint dated 17/07/2023, submitted by

26 candidates also alleged gross illegalities and demands of huge amount of money. Similarly, a complaint dated 19/07/2023 was submitted by Shri. Namdeo Walhekar and a complaint dated 21/08/2023 was submitted by Jijabhau Sitaram Ghule, all alleging illegal demands of money for assured appointments.

- (xii) Despite receipt of so many complaints, the University sent e-mails to the Management, through the Deputy Registrar of the University dated 03-08-2023 during 1.01 p.m. to 1.18 p.m., informing thereby that the documents of selection committee which were uploaded online by the Management, have been approved.
- (xiii) On 24/08/2023, respondent No.4/University issued a letter (Exhibit 'M') through the Deputy Registrar of University conveying its opinion and informing the Management that the decision to cancel the recruitment process is in the domain of the Management.
- (xiv) On 28/08/2023, the officials of University submitted a 'Noting' to the Vice Chancellor of the University for grant of provisional approval to the appointments pursuant to the recruitment process conducted by Management. Pertinent to note that this 'noting' mentioned the subject as 'for grant of approval to the

appointments as Assistant Professors in the year 2023'. This noting also referred to a meeting of the Executive Committee of respondent No.5 Management dated 04/08/2023 which had resolved to cancel the entire recruitment process and appoint fresh selection committee. It is also stated that in the wake of alleged illegalities, a letter dated 24/08/2023 was issued by the University (referred above) and accordingly, report of selection committee as submitted by respondent No.5/ Management by online mode was approved by the Vice Chancellor w.e.f. 03/08/2023, which was intimated to the Management by online mode.

6. The petitioners have filed on record the documents of mark sheets of the interviews, as received by them from the Management. These mention the marks of the candidates for various subjects, which show blank spaces and overwritings of marks at several places. The petitioners have stated that these documents were supplied to them after a lot of correspondence and persuasion with the Management. The original set of documents received by the petitioners bearing original stamps of the Management are also filed on record by the respondent/

Management.

7. The petitioners have alleged that in view of the gross illegalities and malpractices committed by respondent No.5 in the entire recruitment process, the selections made pursuant to this recruitment are all illegal and liable to be quashed and set aside. The petitioners have, therefore, prayed that the entire selection process be declared as illegal, arbitrary and violative of Articles 14 and 19(1)(g) of the Constitution of India. The petitioners also challenge the letters (emails) dated 03/08/2023 and 28/08/2023 issued by the respondent University allegedly granting approval to the documents of selection process and have prayed for issuance of a fresh advertisement and for conducting a fresh recruitment process.

8. In response to the petitions, respondent No.4/University filed its affidavit-in-reply sworn by the Deputy Registrar, Academic Section (Approval Unit) of the University. By this short reply, the University has opposed the petition and has simply stated that there were no irregularities in the entire selection process conducted on 07.07.2023 to 09.07.2023, as reported by the nominees of the Vice-Chancellor. By referring to

Statute No.411(2), it is stated that the Management of the college is the competent authority to take decision about cancellation of the selection process or otherwise. By its additional affidavit, it is stated that the reports of the selected candidates were received by the University by both online and offline mode, which are placed on record vide Exhibit R-1 collectively. It is stated that the selection procedure was carried out on merits and the reports of the selection committee have been correctly and appropriately approved by the Vice Chancellor. On the basis of these contentions, the petition was opposed.

9. The petitioners in WP no.886/2024 controverted the stand of the respondents by rejoinder affidavit dated 13/12/2024 and firmly stated that despite there being a Circular No.102/2023 dated 06/06/2023 issued by the University, the reports of the selection committee were not sent on the same day, which paved way for manipulation.

10. Apart from respondent No.4 University, no other respondents have filed any reply affidavits in this petition (WP no. 886 /2024).

11. **Another group of petitions bearing Writ Petition**

No. 15245/2023 with connected matters, represented by Senior Advocate P.R. Katneshwarkar, are filed by the selected candidates seeking writ of mandamus to issue appointment orders. The bone of contentions of these petitioners is that, having been duly selected in the recruitment process, they are entitled for issuance of appointment orders. They have contended that a provisional approval was granted by Respondent No. 4 (University) on 28th August 2023 and accordingly, the appointment orders need to be issued.

12. Respondent No.6/ Management, in its reply dated 21st February 2024 in WP no. 15245 / 2023, stated that the petitioners were involved in corrupt practices and that the selection process was not fair and transparent. Respondent No. 6 contended that the earlier President of the Management had resigned amidst allegations of corruption, and the governing council decided to cancel the entire recruitment process. The Management asserted that the petitioner's claim is invalid due to the alleged corrupt practices surrounding the process, including the solicitation of money from candidates through a cooperative society dominated by the former President's family. It is stated

that before the President's resignation on 10th August 2023, the governing council decided to cancel the selection process entirely by its decision dated 04.08.2023.

13. In the rejoinder affidavit dated 5th August 2024, the petitioner from WP no.15245/2023 refuted the corruption allegations and reiterated that the selection process was conducted in accordance with Statute No. 415, with proper approval from the competent authorities. The petitioner contended that the decision to cancel the process is unlawful, and he is entitled to an appointment order.

14. Respondent Nos.4 and 5 (the University) submitted reply dated 25th September 2024, asserting that the selection process was carried out according to statutory procedures and approved by the Vice Chancellor. The University contends that the Management retains the discretion to cancel the process, but the decision must be in compliance with applicable statutes.

15. Respondent Nos.1 to 3 (State Government) filed reply dated 15th July 2024, affirming that the Government had issued a 'No Objection Certificate' for the recruitment process. The Government's nominee participated in the interview process,

but it is emphasized that the decision to continue or cancel the selection process is within the purview of the Management, subject to the provisions of Statute No. 415.

16. A similar challenge is raised by the petitioners in **Writ Petition No.14788/2023 and other connected petitions, represented by Adv. C.V. Dharurkar** for the petitioners in all the petitions. All these petitions are filed by the candidates, who claim to have been selected as Assistant Professors for different subjects in the same selection process.

17. The petitioner in Writ Petition No.14788/2023 has averred that he was eligible for the post of Assistant Professor (Botany) and pursuant to the advertisement, he applied and was called for interview. He has stated that his name was included in the list of selected candidates. However, appointment order was not issued to him and, therefore, he has filed the instant petition claiming identical reliefs of directions to the respondent Management to issue appointment order as Assistant Professor (Botany) by considering his probation period w.e.f. 03.08.2023. He has relied upon statute No.415 to allege that the recruitment process was conducted in compliance with the provisions of this

statute and, therefore, he was entitled for issuance of appointment order. Similar pleas are raised by other petitioners regarding their respective subjects.

18. Pertinently, in response to the petition, the respondent Management filed the affidavit in reply dated 27.02.2024. This affidavit is sworn in by Genuji Dagdoji Khandeshe. By narrating sequence of events in the reply, it is stated that since the candidate does not have an indefeasible right to claim appointment and it is prerogative of the employer, the petitioner cannot claim right of issuance of appointment order. By taking such stand, the respondent Management opposed the petitions.

19. In response to the reply filed by the respondent Management, the petitioner has filed the rejoinder affidavit dated 09.07.2024 thereby, pointing out that the selection process was conducted in accordance with the UGC regulations and by complying with the provisions of relevant government resolutions, particularly Government Resolution dated 08.03.2019.

20. In this writ petition, Civil Application No.1022/2024

for intervention was filed by Dr. Dagdu Sakharam Talule and seven others, who are the petitioners in Writ Petition No.886/2024. They have made allegations about severe illegalities in the entire recruitment process and reiterated their contentions which are raised in their writ petition.

Submissions of respective Counsels

21. The learned senior advocate Shri R.N. Dhorde appearing for the petitioners in Writ Petition No.886/2024 made vehement submissions by pointing out grave illegalities and arbitrariness in the entire selection process. He would submit that in the wake of gross illegalities in the entire selection process, the conduct of the University in considering documents for grant of provisional approval to the appointments itself is grossly illegal. He would submit that entire selection process carried out by the Management as well as emails dated 03.08.2023 issued by the University, are illegal. He would also submit that mere selection does not create any vested right in favour of the candidates to claim any kind of appointment. In support of his submissions, he would rely upon the following case laws:-

- (a) Vishal Nandkumar Dhadvad and ors Vs Central Bank of India, Mumbai and ors, 2015 SCC Online Bom 3844.**
- (b) Jitendra Kumar and ors Vs State of Haryana and anr, (2008) 2 SCC 161.**
- (c) Vijay Kumar Mishra and ors Vs High Court Judicature at Patna and ors, (2016) 9 SCC 313.**

22. These arguments were mainly controverted by the learned advocate Shri Joshi appearing for the University. By relying on its affidavit in reply dated 30.07.2024, he submitted that the University has not observed any kind of irregularity in the selection process. By inviting our attention to the definition of 'appointing authority' under statute No.411(2), he submitted that the Management of the college is the appointing authority and competent authority to take decision about selection process and it was in the domain of the Management to take further decision about cancellation or continuation of selection process.

23. The learned senior advocate Shri P.R. Katneshwarkar for the petitioners in Writ Petition No.15245/2023 and other connected petitions of selected

candidates, vehemently submitted that only on the basis of allegations of irregularities by unselected candidates, the entire selection process cannot be branded as illegal. He would submit that the candidates have participated in selection process and the selection process was carried out in a fair and transparent manner. He would submit that the selected candidates cannot be made scapegoat only because the unselected candidates were not able to prove their merit. He would further submit that the position of law is settled that if a candidate is not rejected at threshold and is allowed to participate in selection process and ultimately, his name figures in the merit list, then, he does have a limited right of being accorded a fair and non discriminatory treatment. He would submit that the selected candidates have a reasonable expectation of being appointed having regard to their position in merit list. In support of his submissions, he would rely upon the following case laws:

- (a) *Smt. Shakuntalabai Premlal Bawane vs. State of Maharashtra and others, WP/253/2004, Nagpur Bench, judgment dated 01.03.2018.***
- (b) *Union of India Vs Uzair Imran & Ors, SLP (Civil) Diary No. 21319/2022.***

- (c) *Union Of India and ors Vs Bikash Kumar, (2006)8 Supreme Court Cases 192.***
- (d) *Chandra Prakash Tiwari and ors Vs Shankuntala Shukla and ors., (2002) 6 Supreme Court Cases 127.***
- (e) *Tajvir Singh Sodhi & ors Vs State of Jammu and Kashmir & ors, 2023 LiveLaw (SC) 253.***
- (f) *Shaik Mahboob John Vs The High Court of Andhra Pradesh, WP No. 8648 of 2019 (Andhra Pradesh High Court).***
- (g) *M.V. Thimmaiah & Ors Vs UPSC, Appeal (Civil) 5883/2007.***
- (h) *B.C. Mylarappa Vs Chikkamylarappa & ors, Civil Appeal No. 6045/2008.***
- (i) *Sadananda Halo and others Vs. Momtaz Ali Sheikh and others, (2008) 4 Supreme Court Cases 619.***
- (j) *Chandra Prakash Tiwari and others Vs. Shakuntala Shukla and others, (2002) 6 Supreme Court Cases 127.***
- (k) *Madan Lal and others Vs. State of J & K and others, (1995) 3 Supreme Court Cases 486.***

- (l) Sachin Kumar and others Vs. Delhi Subordinate Service Selection Board (DSSSB) and others, (2021) 4 Supreme Court Cases 631.**
- (m) Union of India Vs. Rajesh P.U., (2003) 7 Supreme Court Cases 285.**

24. Arguing for the petitioners in another group of petitions including Writ Petition No.1477/2023 and others, the learned advocate Shri C.V. Dharurkar adopted the arguments of the learned senior advocate Shri Katneshwarkar and has additionally submitted that the selected candidates although does not have indefeasible right to be appointed, but have a fair expectation of due consideration for issuance of appointment order. In support of his submissions, he relied upon the following case laws:

- (a) Dr Basavaiah Vs H.L.Ramesh & ors, AIR SCW 5907 2010.**
- (b) Dr Babasaheb Ambedkar Memorial Chandrapur Society, Nagpur Vs University and ors, 2005 (2) Mh LJ 731.**
- (c) Shankarshan Dash Vs Union of India, AIR 1991**

SC 1612.

***(d) Sajeesh Babu K Vs N.K.Santosh and ors, 2012
AIR SCW 6063.***

***(e) Dr Rajbir Singh Dalal Vs Chaudhari Devi Lal
University, Sirsa and anr, 2008 AIR SCW 5817.***

***(f) Ratnagiri Gas and Power Pvt Ltd. Vs RDS
Projects Ltd and ors, AIR 2013 SC 200.***

25. Learned senior advocate Shri V.D. Hon, arguing on behalf of the respondent Management in Writ Petition No.14788/2023 and other connected petitions, submitted that the Management has infact initiated the selection process by obtaining prior approval from the University and in view of the dire need to fill up vacancies, the process was carried further. He vehemently submitted that the selected candidates cannot claim to have any indefeasible right and in view of the decision of the Management to cancel the entire recruitment process and to conduct a fresh recruitment process, the writ petitions are liable to be dismissed.

26. Advocate Shri S.S. Thombre, learned advocate for

the Management in Writ Petition No.15245/2023 and other connected petitions, submitted that earlier President had indulged in serious illegalities in the entire selection process making the process unfair and grossly illegal. He has submitted that in view of illegalities in the selection process, entire selection process is cancelled by the Management and the candidates claiming to have been selected cannot claim any kind of right for appointment. By adverting our attention to various complaints submitted by the candidates and members/ trustees of the Management, he would submit that entire selection process was unfair and it is rightly cancelled. He would also submit that mere selection does not confer any right in favour of selected candidates and the petitioners are not entitled for any reliefs. In support of his submissions, he would rely upon the following case laws:

- (a) Sachin Kumar and ors Vs Delhi Subordinate Service Selection Board and ors, MANU/SC/0145/2021.**
- (b) Ajay and ors Vs High Court of Judicature of Bombay, MANU/MH/1986/2010.**
- (c) Union of India and ors Vs Kali Das Batish and**

ors, MANU/SC/0139/2006.

(d) Punjab State Electricity Board and ors Vs Malkiat Singh, MANU/SC/0878/2004.

(e) Pawan Uttam Marg and ors Vs The State of Maharashtra and anr, WP/6901/2021, Aurangabad Bench.

(f) Vinod Fakira Marathe and ors Vs The State of Maharashtra and ors, MANU/MH/1726/2024.

Area of Controversy:

27. In the light of the above mentioned factual background, the crux of the controversy revolves around the allegations of irregularities and illegalities in the recruitment process. The petitioners—both selected and unselected— are divided in their stance, with one group seeking the annulment of the entire process, while the other seeks the enforcement of the results. The Unselected Candidates' Claims that the selection process was marred by gross irregularities, including violations of procedural fairness, lack of transparency, and possible corruption. They seek the cancellation of the entire selection

process as it allegedly failed to comply with the established norms and statutory requirements governing such procedures. Whereas the selected candidates maintain that the recruitment process was conducted with due diligence and fairness, adhering to all requisite legal and procedural norms. They argue that the allegations raised by the unselected candidates are unfounded, and therefore, the court should direct the issuance of appointment orders based on the merit-based selection process.

28. While considering the rival claims of the parties, qua the reliefs claimed in respective petitions, we are not required to enter into the arena of disputed questions of facts related to the allegations of demands of money or the entry of marks by pencil etc. In the wake of the decision of the management to cancel the entire selection process, the primary issue which falls for our consideration is whether the selected candidates can claim and assert a right for seeking appointment orders.

Consideration of the issue and controversy

29. After referring to the contentions of the parties in their respective petitions and replies, let us now deal with the

relevant facts and points on the basis of which the controversy can be considered. Relevant undisputed facts necessary for considering the issue in question are briefly stated thus:

The respondent Management published advertisement dated 09.03.2023 after securing approval from the University regarding publication of advertisement. This advertisement was for filling up 47 posts of senior colleges in 14 subjects. Pursuant to the advertisement, interviews were conducted on 07.07.2023, 08.07.2023 and 09.07.2023. With respect to irregularities and illegalities in the selection process, various complaints were submitted by candidates on 10.07.2023, 15.07.2023, 17.07.2023 and 19.07.2023. So also, even the trustees of the Management including Vice President, Secretary, Treasurer and other members made complaints dated 10.07.2023 and 13.07.2023 to the Deputy Director of Education and the University. Despite these complaints being there on one side, the University, on the other side, issued emails dated 03.08.2023 informing the Management that the documents of selection committee uploaded online were approved. On 28.08.2023, the letter was sent by the University to the Management which infact

is the 'noting' for approval of the Vice Chancellor by the Deputy Registrar and it contained the subject of grant of provisional approvals to the appointments.

30. In the wake of the above mentioned events, the decision of the respondent Management with respect to the entire selection process becomes crucial. It may be seen that on 04.08.2023 itself, the Governing Council of the respondent Management took a decision to cancel the entire selection process and start it afresh. This was preceded by resignation of earlier President of the Management against whom serious allegations of malpractices were levelled by other members. As such, entire selection process was not proceeded further and the Management which came in power, did not issue any appointment order to selected candidates.

31. In the above mentioned scenario, the crucial issue which falls for our consideration is as to whether in view of cancellation of the entire recruitment process, can the selected candidates claim and assert a right of seeking appointment orders as prayed by them in the petitions.

Another issue is as to whether, the Management,

which has conducted the recruitment process upto the stage of interview by indulging into serious malpractices including demand of huge amount of money, can be allowed to simply do away with the recruitment process after getting exposed.

32. In order to deal with the controversy, it is necessary to have a look at the provisions of statute Nos.411(2) and (9) and 415(1) and (2) of the Statutes of the respondent University formulated under Section 42 and/or Section 73 of the Poona University Act, 1974, which are reproduced below:-

“Statute 411. The definitions given in the Act and in the Statutes shall be applicable to these Statutes, unless there is anything repugnant in the subjects or context. ...”

“(2) "Appointing Authority" means the authority competent to make appointments to the different posts specified therein. The Appointing Authority for the University/Colleges and Institutions conducted by the University shall be the Executive Council. The Appointing Authority for the Affiliated College/Recognized Institution, shall be the Management of the College/Recognized Institution or the authority constituted by the Management as per its constitution.”

“(9) "Management" means a Body or a Society or an Institution which has applied for starting/running of a college or recognized institution and which has been duly started/recognized as such; and includes the

Governing Body or the Managing Committee or any other body by whatever name it is designated which actually conducts.”

“Statute 415. Recruitment of Teachers of Constituent and Affiliated Colleges/Recognized Institutions.

1. There shall be Selection Committee for making recommendations to the Management for appointment of teachers.

Every Selection Committee shall consist of:

(a) Chairman, Governing Body of the College or/his Institution nominee from amongst members of the Governing Body.

(b) A nominee of the Vice-Chancellor.

(c) One Expert to be nominated by the Vice-Chancellor.

(d) One nominee of the Director of Higher Education, not below the rank of Deputy Director of Higher Education.

(e) Principal of the College/Head of the Recognized Institution.

(f) Head of the concerned Department of the College/Institution.

(g) If the post is reserved one, the Vice Chancellor shall nominate one additional member, belonging to Scheduled Caste or Scheduled Tribe or Denotified or Nomedic Tribe who should preferably an expert on the subject.

2. Procedure:

(a) *All posts of the teachers shall be widely advertised with particulars of minimum and other qualifications, if any, and emoluments. Reasonable time shall be allowed to applicants, to submit their applications.*

(b) *The date of the meeting of the Selection Committee shall be so fixed as to allow the notice of fifteen days to each member and to the candidates. The particulars of each candidate called for interview; in consultation with the Head of the Department/Principal of the College, Head of the Recognized Institution, shall be supplied to each member, so as to reach him seven days before the date of the meeting.*

(c) *The quorum to constitute a meeting of the Selection Committee shall be four members of whom, one being an expert nominated by the University.*

(d) *The Selection Committee shall interview and adjudge the merits of each candidate in accordance with the qualifications advertised, and report to the Competent Authority the names arranged in order of merits giving reasons for the order of preference. If no person is selected a report to that effect be made. The Committee may recommend only one name if others are not found suitable.*

(e) *The Competent Authority, with the approval of the Vice-Chancellor, shall appoint from amongst the persons so recommended the number of persons required to fill in the posts.*

Provided that where the Appointing Authority proposes to make an appointment otherwise than in accordance with the order of merit arranged by the Selection Committee, it shall record its reasons in writing and refer back to the matter to the Selection Committee for

reconsideration within fifteen days from the date of report. Thereafter the decision of the Competent Authority, if approved by the Vice-Chancellor, shall be final.”

33. It is also necessary to take note of circular Nos.102/2023 dated 06.06.2023 and 182/2023 dated 11.08.2023 issued by the University, which deal with the requirement of timely submission of reports of the selection committee. Circular No.102/2023 provides that the entire record of the recruitment process including the reports of the selection committee with documents of educational qualifications and experience of the candidates has to be submitted by Online mode on the same day of the meeting of the selection committee and the print outs of these documents to be submitted immediately. Circular no. 182 / 2023 dated 11/08/2023 provides modification to the circular dated 102/2023 and requires the record to be submitted online within 48 hours and by offline mode within 72 hours.

Analysis of Factual and Legal aspects

34. Considering the factual aspects emerging from the record, for the purpose of deciding the entitlement of the

petitioners for the writs prayed for, following crucial aspects may be noted:

34.1 The documents on record do not show compliance of procedure as per Statute 415, in that the selection committee although was constituted on paper, in view of the schedule of interview being spread over only three days (7, 8 and 9 July 2023), for conducting interviews for 14 different subjects, it is beyond comprehension that the members of the selection committee, particularly the same nominees of the University and the Government could attend each of the personal interviews.

34.2 Crucial to note, the Secretary of the Management had issued a letter dated 11.07.2023 to the Deputy Registrar of the University thereby, informing that the interviews for the post of Assistant Professors were conducted on 07th, 08th and 09th July, 2023, for which 934 candidates had appeared and although the reports of the Selection Committee were required to be forwarded by online mode to the University, the same could not be forwarded within 24 hours from completion of the interviews, since the Subject Experts had left the premises. This letter at Exhibit M in Writ Petition No.15245/2023 filed by the

Management along with their reply affidavit clearly establishes that the online reports were not at all submitted 'on the same day' despite clear mandate of the circular No.102/ 2023. This conduct of the Management of failure to forward the reports of the selection committee to the University on the same day, on unacceptable excuses, establishes lack of transparency and lack of fairness.

34.3 In view of the record of selection committee as filed in Writ petition no. 886/2024, it clearly shows that the conduct of interviews was a farce. The interviews were conducted without there being quorum. The records of the selection committees show over-writings and manipulations including number of blank spaces and writing of marks by pencils.

34.4 Apart from this, the allegations of demands of money, evident from complaints dated 10th July 2023 (Exhibit F in WP No.886/2024), although disputed questions of facts, are not worth ignoring in view of the allegations being also levelled by majority of the trustees of the Management (14 in number) (Exhibit H in WP No.886/2024).

34.5 Undisputedly, the record of the selection process

was submitted by online mode after 11.07.2023. This can be seen from email dated 11.07.2023 at 05:31 pm and email dated 14.07.2023 expressing inability to upload documents due to technical glitches. The Deputy Registrar of the University has approved the uploading of the documents by email dated 03.08.2023, which cannot constitute final approval to the reports of the selection committee. Further, taking note of the decision of the Management to cancel the entire recruitment process vide resolution dated 04.08.2023, the Deputy Registrar of the University had prepared a 'noting' dated 28.08.2023 (exhibit M-3 in W.P. No.886/2024) which was submitted to the Pro-Vice Chancellor who had approved the remark of the Deputy Registrar, thereby recognizing the authority of the Management to take a decision about cancellation or continuation of the selection process. The 'noting' refers to the earlier letter dated 24.08.2023 issued by the University to the Management recognizing the domain of the Management to take decision about continuation or cancellation of the selection process. This 'noting' is referred to as a document of provisional approval by the selected candidates. By referring to statute No.411(2) of the University, the University has confirmed their stand by reply

affidavit dated 30.07.2024 in Writ Petition No.886/2024, about endorsing the decision of the Management to cancel the selection process.

34.6 Thus, in view of the blatant illegalities in the selection process the entire selection process is vitiated. Further, in view of the cancellation of the selection process by the Management no rights are created in favour of any of the candidates.

35. The propositions of law emerging from the judgments relied upon by the respective parties are not at all disputed. The position of law is settled that mere selection does not confer any vested right in favour of the candidates to claim appointment. Further, the position of law is also fairly settled that a selected candidate does have a limited right of being accorded a fair and non discriminatory treatment. Further, the selected candidates although do not have indefeasible right to be appointed, but have a fair expectation of due consideration for issuance of appointment order. However, the controversy involved in the instant matters mainly revolves upon the factual aspects related to the gross irregularities and illegalities stated

above. In view of our pertinent inferences about the selection process being vitiated, the entitlement of the petitioners for claiming writ of mandamus has to be considered in proper perspective.

36. Our view is fortified by the latest pronouncement of the Hon'ble Supreme Court in the matter of ***State of West Bengal vs. Baishakhi Bhattacharyya (Chatterjee) and others***, Civil Appeal No.4800/2025 (arising out of Special Leave Petition (Civil) No.9586/2024) decided on 03.04.2025. It is worth while to note that the Supreme Court was dealing with the controversy with respect to selection process conducted by the West Bengal Central School Service Commission for recruitment of non teaching staff in groups C and D and Assistant Teachers for classes IX to XII. The appellants before the Supreme Court included candidates who were selected and appointed for over a period of five years prior thereto. The candidates included selectees with purported evidence and material indicating wrong doings and other selectees who claimed that they were validly selected and were not involved in any wrong doings. This was an appeal challenging the judgment of the Calcutta High Court

dated 22.04.2024 en bloc setting aside the 2016 selection process. While deciding similar nature of controversy as involved in the instant petitions, the Supreme Court has upheld the judgment of the Calcutta High Court cancelling *en bloc* / entire selection process. The relevant paragraph mentioning the principles emerged, on consideration of all the landmark judgments, is reproduced below:

“19. The following principles emerge from the aforesaid discussion:

When an in-depth factual inquiry reveals systemic irregularities, such as malaise or fraud, that undermine the integrity of the entire selection process, the result should be cancelled in its entirety. However, if and when possible, segregation of tainted and untainted candidates should be done in consonance with fairness and equity.

The decision to cancel the selection en masse must be based on the satisfaction derived from sufficient material collected through a fair and thorough investigation. It is not necessary for the material collected to conclusively prove malpractice beyond a reasonable doubt. The standard of evidence should be reasonable certainty of systemic malaise. The probability test is applicable.

Despite the inconvenience caused to untainted candidates, when broad and deep manipulation in the selection process is proved, due weightage has to be given to maintaining

the purity of the selection process.

Individual notice and hearing may not be necessary in all cases for practical reasons when the facts establish that the entire selection process is vitiated with illegalities at a large scale.”

37. Thus, considering the above mentioned factual and legal aspects, we find that the entire recruitment process was marred by gross illegalities and violation of procedural fairness. In the wake of gross irregularities and illegalities of such magnitude, it is impossible to segregate the tainted selections from the untainted selections and thus the entire selection process gets vitiated. We find that there is substance in the submissions of the unselected candidates, however, in view of the decision of the Management to cancel the selection process, no effective relief is required to be granted in Writ Petition No.886/2024.

38. On the other hand, in the light of cancellation of the entire recruitment process, the claims of the selected candidates for issuance of appointment orders become absolutely untenable. It is settled position of law that mere inclusion of name in select list does not confer any vested right to the candidates for getting appointed. Pertinently, by resolution dated 04-08-2023, the

management which is the appointing authority has itself cancelled the recruitment process terming it to be grossly illegal and, therefore, the selected candidates cannot assert any right for appointment orders. True it is, the management has to be blamed for the distressful plight of the candidates who were selected, however, no writ can be issued directing the Management to issue appointment orders. We are of the considered view that the candidates claiming to be selected seeking appointments i.e. the petitioners in Writ Petition no.15245 2023 with connected matters and Writ Petition no.14788/2023 with connected matters, are not entitled for any reliefs.

39. In the instant matter the entire conduct of the Management in holding the recruitment process, indulging in various kinds of irregularities and illegalities and ultimately cancelling the selection process on its own, needs to be dealt with stern hands. In view of the above mentioned inferences and conclusions drawn by us, we are of the firm view that the conduct of the Management has been riddled with lot of aberrations. The entire conduct of the Management is absolutely *shorn of bonafides*. We are of the firm view that the Management

of Ahmednagar Zila Maratha Vidya Prasarak Samaj, Ahmednagar should be saddled with costs, which are quantified at Rs.1,00,000/- (Rupees One lac).

40. Hence, on consideration of the above mentioned factual and legal aspects, we pass the following order:

(a) Writ Petition Nos.15245/2023, 864/2024, 853/2024, 856/2024, 885/2024, 8370/2024, 8371/2024, 8372/2024, 8379/2024, 8380/2024, 8373/2024, 8375/2024, 8374/2024, 14822/2023, 14798/2023, 14796/2023, 14833/2023, 14788/2023, 15379/2023, 15274/2023, 15246/2023, 15230/2023, 15232/2023 and 15262/2023, are dismissed.

(b) Writ Petition No.886/2024 (Dr. Dagadu Sakharam Talule and others vs. The State of Maharashtra and others) is disposed of.

(c) The Ahmednagar Zila Maratha Vidya Prasarak Samaj Ahmednagar (respondent no.5 in WP no. 886 / 2024) is directed to deposit an amount of Rs.1,00,000/- (Rupees One lac) towards costs, in the registry of this Court within a period of four weeks from today, else the same shall be recovered as arrears of

the land revenue by the District Collector, Ahmednagar.

(d) Civil Application No.1022/2024 in Writ Petition No.14788/2023 is disposed of.

(e) The original mark sheets placed on record by the Management, which are re-sealed as per the order dated 03.01.2025, be returned to respondent No.5 Management.

41. Rule is discharged in the above terms.

42. After pronouncement, the learned advocates for the petitioners from the writ petitions which are being dismissed, seek extension of the *ad interim* relief to enable the petitioners to approach the Supreme Court.

43. In the light of the fact that we have approved the decision of the Management to cancel the recruitment process in its entirety, there is no propriety in continuing the *ad interim* relief.

44. The request is rejected.

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)