



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

WRIT PETITION NO. 7955 OF 2024

1. Shardopasak Shikshan Sanstha,
Aurad-Shahajani, Tq. Nilanga,
Dist. Latur,
Through its President,
Basavraj S/o Vishwanathappa Valande,
Aged: 55 years, Occ: Agriculture
R/o Aurad-Shahajani, Tq. Nilanga,
Dist. Latur.
2. Shardopasak Shikshan Sanstha,
Aurad-Shahajani, Tq. Nilanga,
Dist. Latur,
Through its Secretary,
Ramesh S/o Dadarao Bagdure,
Aged: 63 years, Occ: Agriculture,
R/o Aurad-Shahajani, Tq. Nilanga,
Dist. Latur.

.....PETITIONERS

(Orig. Respondents no.1 & 2)

VERSUS

1. The Swami Ramanand Tirth
Marathwada University, Nanded,
Through its Registrar.
2. The Joint Director of Higher
Education, Nanded Division,
Nanded.
3. Dr. Ajitsingh Raghueersingh Gaherwar,
Aged: 52 years, Occ: Retired,
R/o Kumtha, Tq. Ahmedpur,
Dist. Latur, now at "Shri Shivaji
Niwas", Shelgi Road, Aurad-Shahajani,
Tq. Nilanga, Dist. Latur.

.....RESPONDENTS

(Respondents No.1 & 2 are Orig. Respondents No.3 & 4
and Respondent No.3 is Orig. Appellant.)

Mr. N. P. Patil Jamalpurkar, Advocate for the Petitioner
Mr. R. D. Raut, AGP for Respondent-State
Mr. R. R. Shinde, Advocate for Respondent no.2
Mr. V. D. Gunale, Advocate for Respondent no.3

**WITH
WRIT PETITION NO. 8147 OF 2024**

Ajitsingh s/o Raghuvirsingh Gaherwar,
Age: 51 years, Occu: Service as Principal of
Master Dinanath mangeshkar Mahavidyalaya,
Aurad (Shahajani), R/o. Kumtha,
Tq. Ahmedpur, Dist. Latur.
At present : Shri Shivaji Suryawanshi Niwas,
Shelgi Road, Aurad Shahajani,
Tq. Nilanga, Dist. Latur.

.....PETITIONER

VERSUS

1. Shardopasak Shikshan Sanstha,
Aurad (Shahajani), Tq. Nilanga, Dist. Latur,
Having office at Maharashtra Higher
Secondary School, Main Road,
Aurad (Shahajani), Tq. Nilanga, Dist. Latur
Through its President.
2. Shardopasak Shikshan Sanstha,
Aurad (Shahajani), Tq. Nilanga, Dist. Latur,
Having office at maharashtra Higher
Secondary School, Main Road,
Aurad (Shahajani), Tq. Nilanga, Dist. Latur.
Through its Secretary.
3. The Swami Ramanand Tirth Maharashtra
University, Nanded, Tq. & Dist. Nanded.
Through its Registrar.
4. The Joint Director of Higher Education,
Nanded Division, Nanded.
Tq. And Dist. Nanded.

.....RESPONDENTS

Mr. V. D. Gunale, Advocate for the Petitioner
Mr. R. D. Raut, AGP for Respondent-State
Mr. R. R. Shinde, Advocate for Respondent no.3

CORAM : ROHIT W. JOSHI, J.

DATED : 31ST JULY, 2025

ORAL JUDGMENT :-

. Writ Petition No.7955 of 2024 is filed by Shardopasak Shikshan Sanstha, Aurad-Shahajani, Tq. Nilanga, Dist. Latur (hereinafter referred to as 'employer') and Writ Petition No.8147 of 2024 is filed by Ajitsingh s/o Raghuvirsingh Gaherwar, (hereinafter referred to as 'employee') challenging order dated 09.07.2024, passed by the Presiding Officer, University & College Tribunal at Aurangabad in Appeal SRTMU No.6 of 2023.

2. The employee had filed appeal bearing no.SRTMU-6/23, before the University and College Tribunal at Aurangabad, challenging oral termination of his service with effect from 10.08.2022. The said appeal was allowed by the learned Presiding Officer of the University and College Tribunal vide judgment and order dated 09.07.2024.

3. It appears that there are two factions in the

management. One of the factions of the employer, has entered into compromise with employee. The compromise terms dated 29.07.2025 are filed on record.

4. The learned Registrar (Judicial) has furnished report dated 29.07.2025, confirming that the parties have voluntarily arrived at compromise terms and have specifically confirmed the same before him.

5. The other faction in the management has filed Civil Application No.7840 of 2025, seeking intervention in the matter in order to oppose the compromise. Learned Advocate for the intervenor, who claims to be President of the management/trust states that the faction of the management that has entered into the compromise is not authorized to represent the trust since it is not legal and valid body. Change report filed by both the factions are rejected.

6. The employee was appointed in service vide order dated 06.05.2009. There is no dispute as regards the appointment of the employee. Perusal of the terms of compromise will indicate that request for voluntary retirement of the employee with effect from 15.03.2025 is accepted by the employer. Further perusal of the compromise terms will demonstrate

that the liability of back wages is not fastened on the management/trust. It is categorically stated in the compromise terms that the employee will not claim any arrears or back wages from the management/trust. All that is provided is that the management shall forward bills in this regard to the Joint Director of Higher Education and if the bills are sanctioned and amount is released, only then the employee will be entitled to receive back wages. It is clear that no financial liability is fastened on the management/trust by virtue of the compromise terms.

7. In this backdrop, it is necessary to state that the intervenor had filed an application for intervention in the appeal pending before the learned College Tribunal, which was rejected. The Intervenor did not challenge this order further. In the present petition, another application for intervention was filed by the present Intervenor being Civil Application No.9892 of 2024 which was also rejected.

8. In view of rejection of applications by the learned College Tribunal and this Court as aforesaid, coupled with the fact that no financial liability is fastened on the management, the application for intervention and the objection raised by the

Intervenor to the compromise terms stand rejected.

9. Writ Petition is disposed of finally in terms of settlement. The settlement terms dated 29.07.2025 shall be a part and parcel of the order.

10. The fact that compromise entered into by one of the factions of the management is accepted should not mean that this Court has accepted the said faction to be legal and valid management. The *inter se* dispute between the trustees be decided independently without being influenced by this order.

11. In view of the compromise, Writ Petition No.8147 of 2024 and Writ Petition No.7955 of 2024 are disposed of as withdrawn.

12. Civil Application, if any, stands disposed of.

(ROHIT W. JOSHI, J.)