

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.124 OF 2025

1. Bhavan's Hazarimal Somani College }
of Arts & Science and Jayaramdas }
Patel College of Commerce & }
Management Studies, Kulapati, }
K.M. Munshi Marg, Chowpatty, }
Mumbai-400 007 through the }
Chairman, Governing Body }
2. The Principal (I/c) of Bhavan's Hazarimal }
Somani College of Arts & Science and }
Jayaramdas Patel College of Commerce & }
Management Studies, Kulapati, }
K.M. Munshi Marg, Chowpatty, }
Mumbai-400 007. }

.. Petitioners

Versus

1. Dr. (Ms.) Urmila Bhimji Maru }
Aged 59 years, of Mumbai, Indian }
Inhabitant, residing at B-1/6, Ajinkya }
Tara C.H.S., C.S.T. Road, Chember, }
Mumbai-400 071. }
2. State of Maharashtra }
Department of Higher & Technical }
Education, Through the Government }
Pleader) (Appellate Side) High Court, }
Bombay. }
3. The University of Mumbai }
Through the Vice Chancellor, }
M. G. Road, Fort, Mumbai-400 001 }

.. Respondents

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Mr. Ravindranath Shetty, Senior Counsel with Huzefa Khokhawala with Mr. Karan Parmar, Ms. Divya Shetty i/by M/s. Nankani & Associates, Advocates for the petitioners.

Mr. Ramesh Ramamurthy with Mr. Saikumar Ramamurthy, Ms. Seema Sorte, Advocates for the Respondent No.1.

Mr. P.P. Kakade, Additional Government Pleader with Mrs. P. B. Chavan, Assistant Government Pleader for the Respondent No.2-State.

Mr. Ranvir Shekhawat, Advocate for the respondent no.3.

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**CORAM : SHREE CHANDRASHEKHAR &
MANJUSHA DESHPANDE, JJ**

DATE : 24TH JULY 2025.

PER: SHREE CHANDRASHEKHAR, J:

This writ petition has been filed challenging the order dated 3rd September 2024 passed in Grievance Application No.2523 by which the Grievance Redressal Committee of the University of Mumbai interfered with the order of suspension dated 4th April 2024 passed against the respondent no.1.

2. Mr. Ravindranath Shetty, the learned Senior Counsel appearing for the petitioner referred to the reasonings given by the Committee in paragraph nos.10 to 12 of the order dated 3rd September 2024 to challenge the order revoking suspension of the respondent no.1. It is submitted that the order dated 3rd September 2024 is based on perverse reasons for interfering with the suspension order dated 4th April 2024 and, theretofore, the said order is liable to be interfered with by this Court. On the other hand, Mr. Ramesh Ramamurthy, the learned counsel for the respondent no.1 would submit that the suspension order cannot be continued for an indefinite period without recording a finding

that the petitioner's presence in the college may seriously hamper the disciplinary enquiry.

3. We are informed that the respondent no.1 shall attain the age of superannuation on 31st August 2025. Besides this fact bearing in our mind, we think that any interference with the order dated 3rd September 2024 shall not further the cause of justice. Though interference with the order passed by the Grievance Redressal Committee may not perpetuate illegality, but then, such interference would certainly cause insurmountable mental agony and harassment to the respondent no.1. A writ Court can decline to exercise its jurisdiction under Article 226 of the Constitution of India even where the judgment under challenge is not sustainable in law and, in our opinion, this is one such case.

4. While so, Writ Petition No.124 of 2025 is dismissed.

[MANJUSHA DESHPANDE, J.] [SHREE CHANDRASHEKHAR, J.]