

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

**WRIT PETITION NO.4981 OF 2025**

Administrative Council,  
Walchand College of Engineering, Sangli .. **Petitioner**  
Vs.

The Vice Chancellor / The Registrar,  
Shivaji University, Kolhapur and Ors. .. **Respondents**

**ALONG WITH  
INTERIM APPLICATION (STAMP) NO.15183 OF 2025**

The State of Maharashtra,  
Through the Ministry of Higher & Technical .. **Applicants**  
Education and Ors. **Org. Resp.2 to 4**

Mr. S.C. Naidu with Ms. Viloma Shah, Mr. Pradeep Kumar, Mr. Ativ Patel,  
Mr. Harshad R. Vyas, Advocates, i/by AVP Partners, for the Petitioner.

Mr. Vikram Walawalkar with Ms. Gracy Saldhana and Mr. Rohan Desai,  
Advocates for Respondent No.1.

Mr. A.Y. Sakhare, Senior Advocate, with Mr. Y.D. Patil, Assistant  
Government Pleader for the Applicant in IA and for Respondent Nos.2 to 4  
in Writ Petition.

Mr. M.K. Dawane, Dy. Director, DTE is present in Court.

**CORAM : A.S. CHANDURKAR &  
M.M. SATHAYE, JJ**

**DATE : 30<sup>TH</sup> APRIL 2025.**

**PC. :**

1. We have heard the learned counsel for the parties for some time in  
the light of prayers made in the writ petition.

2. On behalf of the respondent no.1, our attention is invited to a  
communication dated 27<sup>th</sup> May 2024 issued by the respondent no.1-

University to the representative of the petitioner indicating various deficiencies that were required to be satisfied by the petitioner before permission to issue an advertisement for filling the post of “Director” at the College run by the petitioner could be granted.

3. The learned counsel for the University, on instructions, submits that except the permission of the State Government as indicated in item no.2 of the communication dated 27<sup>th</sup> May 2024, other deficiencies now stand removed. It is thus clear that presently only the ‘no objection’ of the respondent no.2 is awaited.

4. It is pointed out on behalf of the respondent no.2 that the judgment of this Court in Writ Petition No.14369 of 2022 (*Administrative Council, Walchand College of Engineering and Ors. Vs. State of Maharashtra, through the Ministry of Higher and Technical Education and Ors.*), with connected writ petition, is the subject matter of challenge before the Supreme Court. The respondent no.2 thus disputes the locus of the petitioner to take such steps. Hence, consideration of the petitioner’s request be deferred till the proceedings are decided by the Supreme Court.

5. We have considered the rival contentions. The College has been directed by the University to ensure that the post of Director is filled up. The judgment of this Court dated 21<sup>st</sup> February 2024 is under challenge

before the Supreme Court. Hence without prejudice to such challenge as raised to the aforesaid decision and subject to its final outcome, workable directions can be issued.

6. Accordingly, the petitioner is permitted to make an application seeking grant of 'no objection' to the respondent no.2 for filing in the vacant post of 'Director'. If such application is made within a period of ten days from today, the same shall be considered in accordance with law and decided within a further period of three weeks from its receipt. Needless to state that in case the respondent no.2 grants its 'no objection', the other respondents shall take further consequential steps in accordance with law. This exercise would abide by the decision taken by the Supreme Court in the pending proceedings.

7. List for reporting compliance on 20<sup>th</sup> June 2025.

8. All concerned to act on duly authenticated or digitally signed copy of this order.

[ M.M. SATHAYE, J. ]

[ A.S. CHANDURKAR, J. ]