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

**INTERIM APPLICATION NO. 8408 OF 2025
IN
INTERIM APPLICATION NO. 8147 OF 2025
IN
WRIT PETITION NO. 9790 OF 2024**

Dombivali Shikshan Prasarak Mandal's
K.V. Pendharkar College of Arts,
Science & Commerce .. Applicant

In the matter between

Dombivali Shikshan Prasarak Mandal's
K.V. Pendharkar College of Arts,
Science & Commerce ... Petitioner

Versus

The State of Maharashtra and ors. Respondents

Mr. S.C. Naidu a/w Ms. Anjali P. Purav, Mr. Pradeep Kumar, for the
Applicant/ Petitioner.

Mr. Pralhad Paranjape, Special Counsel a/w Mr. N.C. Walimbe,
Addl. GP a/w Ms. Kavita N. Solunke, AGP for Respondent-State.

**CORAM : M.S.KARNIK AND
N.R.BORKAR, JJ.**

DATE : 24th JUNE, 2025

P.C. :

1. Heard learned counsel for the parties.
2. In view of the submissions made by learned counsel for the parties, following order is passed.

(i) The Respondent Nos.2 & 3 shall forthwith hand over to

Mr. Harshal Lavangare, CEO of Applicant, the day to day management, running and conducting of the following Divisions of the Petitioner College:

- (a) 16 Aided divisions of Junior College
- (b) 6 Self-financed (unaided) divisions of Junior College (as more particularly set out in Annexure A hereto).
- (c) 33 Self-financed (unaided) divisions of Degree Course.
- (d) 14 Self-financed (unaided) divisions of Post-graduate Course (as more particularly set out in Annexure B hereto)
- (e) Prof. Ram Kapse Sports Academy situated on Plot No.16.
- (f) Shooting Range (being conducted under License issued by Thane Municipal Corporation under the Maharashtra Shops & Establishments Rules, 2018).
- (g) Multi-facility Gym. (being conducted under License issued by Thane Municipal Corporation under the Maharashtra Shops & Establishments Rules, 2018).

(ii) That until further orders, the Respondent No.3 shall continue as Administrator of 21 Aided Divisions of the undergraduate Degree College (Non-Government Aided Senior College) in terms of order dated 29th April, 2024, passed by the Respondent No.2 herein.

(iii) The Applicant shall be solely responsible to conduct classes, hold exams and declare results of the self-finance Degree and Post-Graduate Courses.

(iv) That effective from 25th June, 2025, the Applicant shall be free

to grant admission to eligible students in FYJC Classes in aided and Self-financed divisions of Junior College in faculties of Arts, Science and Commerce.

(v) The Applicant shall pay salary and allowances of "Teaching Staff attached to the Self-Financed Divisions of College, Degree Courses and Post-Graduate Courses of the Applicant College from 25th June, 2025.

(vi) The Respondent No. 1 shall be liable to release Salary Grants for payment of salary to approved teachers and non-teaching staff in the Aided Divisions of the Degree College.

(vii) That the 21 Aided Divisions of the Degree College shall be conducted in classrooms situated on the 2nd floor of the college building. The earmarked Staff Room, Boys Common Room, Girls Common Room and other facilities for Aided Divisions on the second floor shall be exclusively reserved for staff and students of Aided Divisions. Additionally, facilities like laboratories, computer laboratories, library facilities, required for the concerned departments for teaching & non-teaching staff, toilets and canteen as per Government norms shall be made available to all the students and staff. The above arrangement shall not be changed, and it shall be accessible as per academic requirement.

(viii) That the playground (including badminton court, cricket pitch, and areas reserved for Kabaddi and Kho-Kho) and the

college gymkhana located in the college campus shall be used in common by students of Aided and Unaided Sections.

(ix) The Respondent No.3 shall hand over the entire record of the Junior College (22 divisions 16 Aided & 6 unaided), 33 undergraduate courses and 14 post graduate courses from 29th April, 2025 till date of handing over possession of the said Divisions to the Applicant.

(x) The Respondent No.3 shall hand over to the CEO of non-aided Applicant, Statement of students admitted to FYJC and other classes, if any, and fees collected on or before 25th June, 2025.

ANNEXURE - A

COURSE	DIVISION	
	Aided	Unaided
XI – Arts	2	
XI-COMMERCE	3	1
XI-SCIENCE	3	2
XII-ARTS	2	
XII-COMMERCE	3	1
XII-SCIENCE	3	2

ANNEXURE - B

Self-Financed courses	TOTAL DIVISIONS
First Year Second Year Third Year	33
PG	14
Total	47

3. If any of the non-teaching or teaching staff has any grievance with the Management, it is open for them to adopt appropriate proceedings bringing to the notice of the concerned Competent Authorities the said grievances. The Competent Authorities are bound to look into these grievances and take appropriate action in accordance with law.
4. The grievance will be addressed without being influenced by what is recorded in the aforesaid order.
5. The Interim Application No. 8408 of 2025 is disposed of.

(N.R.BORKAR, J.)

(M.S.KARNIK, J.)