



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.810/2022

G.S. College of Commerce & Economics, Law College Square, Amavati Road,
Nagpur, through its Principal and another

...Versus...

Grievance Committee Rashtrasant Tukadoji Maharaj, Nagpur University,
Nagpur through its Chairman and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. Deoul Pathak, Advocate for petitioners
Mr. S.S. Godbole, Advocate for respondent No.1

CORAM : SACHIN S. DESHMUKH, J.

DATE : 31/07/2025

1. Heard.
2. The only grievance, as has been put forth on behalf of the petitioners, is that the order under challenge is passed by the Chairman and not by the Grievance Committee.
3. The learned Counsel for the petitioners has invited attention of this Court to Section 79 of the Maharashtra Public Universities Act, 2016 (for short hereinafter "The M.P.U. Act, 2016") to contend that the order is to passed by the Grievance Committee, as is constituted under Sub Section 3 of Section 79 of the M.P.U. Act, 2016.
4. Unless the decision is rendered by the Committee, the same could not meet the requirement of law. It is the Grievance Committee, who renders the collective decision and not otherwise. Thus, on the solitary ground the impugned order is unsustainable.

5. In support of the same, learned Counsel for the petitioners has placed reliance on the order of this Court in Writ Petition No.1053/2020 as well as in Writ Petition No.2589/2020. Thus, Section 79 (3) of the M.P.U. Act, 2016 makes it abundantly clear that the Grievance Committee comprises of the Members and the further mandate of Sub Section 6 of Section 79 of the M.P.U. Act, 2016 shows that every grievance essentially shall be heard, settled and decided by the Grievance Committee. Thus, the only possible interpretation of Sub Section 6 of Section 79 M.P.U. Act, 2016 would be that the Committee constituted under Sub Section 3 of Section 79 M.P.U. Act, 2016 shall settle and decide the grievance. Therefore, to establish that the Grievance Committee, as a whole, has rendered decision, it is rather mandatory that the Members shall sign the decision along with Chairman.

6. Since the order under challenge is signed by the Chairman only, it cannot be held that it is a decision of the Committee, which is preceded by participation of the Members culminating into decision unless the same is signed by each member of the Grievance Committee.

7. In the aforesaid peculiar facts and circumstances, the order under challenge does not satisfy the requirement of Sub Section 6 of Section 79 of the M.P.U. Act, 2016. Therefore, I am of the considered view that the matter needs to be remanded back to the Grievance Committee to decide the same afresh. Hence, the following order.

8. Writ petition is partly allowed. The order dated 20/02/2021 passed by the Chairman of the Grievance Committee, Nagpur in Grievance Petition No.22/2019 is

hereby quashed and set aside. The matter is remitted back to the Grievance Committee so as to decide the same afresh after taking into consideration the observations made herein above.

9. The Grievance Committee shall decide the grievance of the petitioners within a period of four months from the date of appearance of the parties before it. The parties to appear before the Grievance Committee on 18/08/2025.

(SACHIN S. DESHMUKH, J.)

Wadkar