



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CIVIL APPLICATION NO. 1142 OF 2025 AND
WRIT PETITION NO.2781 OF 2025

Prashant Pralhadrao Nikam

..VS..

Dr. Vandanatai Jagannathrao Dhone and ors.

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

Court's or Judge's orders

Shri Abhay Sambre, Advocate for the petitioner.
Shri Sagar Katkar, Advocate for respondent no. 1.

CORAM: PRAVIN S. PATIL, J.
DATED : 27/05/2025.

By way of Civil Application, the applicant is seeking leave to amend the petition in view of the subsequent developments occurred during the pendency of the present petition.

2. Leave is granted as prayed for. The application is allowed and disposed of.

3. Necessary corrections be carried out within a week.

4. Heard.

5. Issue notice to the respondents, returnable on 30.05.2025. Learned Counsel Shri Katkar waives notice on behalf of respondent no.1.

6. In addition to regular mode of service, private service is permitted as permissible in Rules.

7. By way of present petition, the petitioner is seeking declaration that he being appointed as a Director, Physical Education by respondent no.1 vide

order dated 27.11.2006, he comes under the definition of teacher as per the Resolution of respondent no. 2 Maharashtra University of Health Science, Nashik dated 15.10.2008, and accordingly entitled to continue as a Director, Physical Education till attaining the age 62 years.

8. It is his submission that he has made representation to respondent no. 1 on 07.04.2025 and thereby requested to extend his age of retirement up to 62 years. Respondent no. 1 stated that the Management has not yet forwarded any proposal for extension of age of retirement of the petitioner to respondent no. 2.

9. On the contrary, it is stated that on 08.05.2025, the notice has been issued to the petitioner that he is completing the age of retirement i.e. 58 years and he will be treated as superannuated on 31.05.2025.

10. The petitioner has relied upon the judgment of this Court in *Writ Petition No. 3838 of 2007 (Mr. Vajjanath Maruti Kadam vs. The Government of Maharashtra and ors)* dated 03.03.2008 and on order dated 26.03.2024 passed in *Writ Petition No.1200 of 2024 (Sanjay Govindrao Watane vs. Dr. Panjabrao alias Bhausahab Deshmukh Memorial Medical College and anr.)* in which this Court granted *status-quo* to the employment of petitioner therein during the pendency of the petition.

11. In this view of the matter, there shall be *status-quo* to the service condition of the petitioner till

the next date, provided that he shall furnish an Undertaking that he shall not claim any salary nor any equity.

12. In the meantime, respondent no. 1 is at liberty to move appropriate proposal for extension of period of retirement of petitioner to respondent no. 2/University.

(PRAVIN S. PATIL, J.)

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