



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

WRIT PETITION NO. 6043 OF 2011

(Dr. Chandrakant s/o Chogalal Panpaliya Vs. The Maharashtra University of Health Sciences, Nasik, through its Registrar & Ors.)

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

Court's or Judge's orders.

Mr. P.K. Mohata, Counsel for the petitioner.
Mr. Abhijeet Deshpande, Counsel for respondent no.1.
Mr. J.B. Jaiswal, Counsel for respondent nos. 2 and 3.
Mr. A.R. Deshpande, Counsel for respondent nos. 4 to 6.

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CORAM : ANIL L. PANSARE, J.
APRIL 8, 2025

Heard.

2] Respondent no.3 – Grievance Committee consists of six members. The grievance made by the petitioner, however, has been considered and decision taken by a Grievance Committee consisting of three members. Recommendation made by the Committee has been approved by respondent no.2 – Management Council.

3] The argument is that all the Committee members should consider and decide the issue raised by persons, like the petitioner. The argument finds support of the view taken by a Co-ordinate Bench of this Court in *Shri Shivaji Education Society, Amravati & Anr. Vs. Maharashtra University of Health Sciences, through its Registrar & Anr. [Writ Petition No. 6838/2015 decided on 1/10/2018]* with other connected petition, so also the judgment passed by a Co-ordinate Bench of this Court in

Dr. Saifuddin Ahmed s/o Tachaddel Hossain Vs. The Registrar, Maharashtra University of Health Science & Ors. [Writ Petition No. 4254/2015 decided on 3/3/2016], so also the judgment passed by a Co-ordinate Bench of this Court in *Shri Shivaji Education Society & anr. Vs. Maharashtra University of Health Sciences & ors. [2015(5) Bom.C.R. 199]*, wherein, in categorical terms, the Courts held that decision has to be taken by all six members and decision by members less than six will be a decision by coram *non judice*.

4] In view of above, decision dated 7/7/2011 taken by respondent no.2 – Management Council based on recommendation/report submitted by few members of Grievance Committee, is quashed and set aside. The grievance is relegated back to the Grievance Committee for consideration afresh in accordance with law.

5] The parties shall appear before the Grievance Committee on 28/4/2025. The Grievance Committee shall decide the issue within eight weeks from 28/4/2025.

6] The petition is disposed of in the aforesaid terms. No costs.

(ANIL L. PANSARE, J.)

Sumit