HIGH COURT OF JUDICATURE AT BOMBAY

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2082 OF 2013

Maharashtra Federation of University
& College Teachers Organizations
having its registered office at C/o.
BUCTU, Vidyapith Vidyarthi Bhavan
B-Road, Churchgate, Mumbai 400 020
(through its General Secretary) ….Petitioner.

Vs.

1 The State of Maharashtra
through the Principal Secretary
Department of Higher & Technical
Education Mantralaya, Mumbai-400 032.

2 The Director of Education
(Higher Education), Maharashtra
Central Building,
Pune 411 001.

3 The University Grants Commissioner
Bahadur Shah Zafar Marg
New Delhi 110 002.
(Through its Secretary)

4 Union of India,
Through the Secretary,
Ministry of Human Resources Department
served through the office of Assistant
Solicitor General, High Court, Bombay. ...Respondents.

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
WRIT PETITION (L) NO. 60 OF 2015

MORE KAILAS BHANUDAS AND 191 ORS. ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND 4 ORS. ...Respondent(s)

WITH
WRIT PETITION (L) NO. 383 OF 2015

PROF. SATTENDRA VIJAY RAJE AND 79 OTHERS ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION
AND 4 OTHERS ...Respondent(s)

WITH
WRIT PETITION (L) NO. 643 OF 2015

RAJESHRI P. KADAM AND 63 OTHERS ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION
AND 4 OTHERS ...Respondent(s)

WITH
WRIT PETITION NO. 770 OF 2015

JADHAV KIRAN A AND 12 ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND 5 ORS ...Respondent(s)

WITH
WRIT PETITION (L) NO. 1282 OF 2015

RANE SONIA SANJAY AND 6 OTHERS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
AND 4 OTHERS ...Respondent(s)

WITH

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HIGH COURT OF JUDICATURE AT BOMBAY

WRIT PETITION (L) NO. 1306 OF 2015

DR.VIJAY N PAWAR AND 14 ORS ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION
AND 7 ORS ...Respondent(s)

WITH
WRIT PETITION (L) NO. 1311 OF 2015

MRS MICHELLE PHILIP AND 50 OTHERS ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION
AND 4 OTHERS ...Respondent(s)

WITH
WRIT PETITION NO. 1544 OF 2015

TEJASHREE VINAYAK SHANBHAG AND 44 ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND 5 ORS. ...Respondent(s)

WITH
WRIT PETITION (L) NO. 1899 OF 2015

GANESH VISHWAS JOSHI AND 30 ORS ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND 4 ORS ...Respondent(s)

WITH
WRIT PETITION (L) NO. 1901 OF 2015

JANINE ALMEIDA ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND 4 ORS ...Respondent(s)

WITH
WRIT PETITION NO. 2031 OF 2015

RITA ALEXANDER ...Petitioner(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

Versus
THE STATE OF MAHARASHTRA AND 6 ORS ...Respondent(s)

WITH
WRIT PETITION NO. 2133 OF 2014

ARCHANA S. THAKUR AND 14 OTHERS ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION
AND 8 OTHERS ...Respondent(s)

WITH
WRIT PETITION (L) NO. 2480 OF 2015

PAGAR NARAYAN MURLIDHAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND 6 ORS ...Respondent(s)

WITH
WRIT PETITION (L) NO. 2575 OF 2015

DR. MRS. SAUMITRA SUSHIL SAWANT
ALIAS KUM. VIJAYMALA KRISHNARAO
ABITKAR AND 8 ORS. ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND 6 ORS. ...Respondent(s)

WITH
WRIT PETITION NO. 2632 OF 2013

MS. LATA S. BHOSALE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND 4 ORS ...Respondent(s)

WITH
WRIT PETITION (L) NO. 3196 OF 2015

JYOTI G. TALWATKAR @ JYOTI R. PARULKAR ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND 8 ORS. ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

ALONG WITH

CIVIL APPELLATE JURISDICTION

Writ Petition NO. 334 OF 2009

DILIPKUMAR ANNASAHEB PAWAR ...Petitioner(s)
Versus
THE CHAIRMAN - UNIVERSITY
GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 336 OF 2009

SUNIL MADHUKAR JOSHI ...Petitioner(s)
Versus
THE CHAIRMAN - UNIVERSITY GRANTS
COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 338 OF 2009

GAUTAM DNYANDEV DHUMAL ...Petitioner(s)
Versus
THE CHAIRMAN - UNIVERSITY GRANTS
COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 340 OF 2009

DEEPAK KRISHNARAO HIMAYATNAGARKAR ...Petitioner(s)
Versus
THE CHAIRMAN - UNIVERSITY GRANTS
COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 342 OF 2009

BABAN DAMODAR SADAMATE ...Petitioner(s)

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Versus
THE CHAIRMAN - UNIVERSITY
GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 369 OF 2009

VIJAYKUMAR SHREEPATRAO PANASKAR ...Petitioner(s)
Versus
THE CHAIRMAN - UNIVERSITY GRANTS
COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 374 OF 2009

ASHOK BABU MANE ...Petitioner(s)
Versus
THE CHAIRMAN - UNIVERSITY GRANTS
COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 377 OF 2009

KHANAPURE SHARANBASAPPA GANPATI ...Petitioner(s)
Versus
THE CHAIRMAN - UNIVERSITY GRANTS
COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 402 OF 2009

PRAKASH GANPAT KUMBHAR ...Petitioner(s)
Versus
THE CHAIRMAN - UNIVERSITY
GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 560 OF 2014

PRABHAKAR EKNATH JADHAV AND ORS ...Petitioner(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

Versus
THE STATE OF MAHARASHTRA, THROUGH PRINCIPAL SECRETARY, DEPT OF HIGHER EDUCATION AND ORS ...Respondent(s)

WITH
Writ Petition NO. 781 OF 2015

DR. MADHAV DAGDU PAGARE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH THE PRINCIPAL SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition (ST) NO. 809 OF 2015

RAMAKANT PRABHAKAR JOSHI AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH THE PRINCIPAL SECRETARY AND ORS ...Respondent(s)

WITH
Writ Petition NO. 1371 OF 2015

PROF. DEEPAK RAJARAM YEOLE AND ORS. ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 1378 OF 2015

DR. LAHANU GOVIND RETWADE AND ORS. ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 1467 OF 2011

SOPAN MANSING RATHOD ...Petitioner(s)
Versus

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HIGH COURT OF JUDICATURE AT BOMBAY

THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 1472 OF 2011
WITH
Civil Application NO. 254 OF 2015

PRAMOD DATTATRAYA SONAWANE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 1479 OF 2011
WITH
Civil Application No. 255 of 2015

KISAN MAHADEO GADVE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 1480 OF 2011
WITH
Civil Application No. 256 of 2015

AHER RANGNAT KISAN ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 1481 OF 2011
WITH
Civil Application No. 258 of 2015

DNYANESHWAR MARUTI MAHAJAN ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 1662 OF 2014

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HIGH COURT OF JUDICATURE AT BOMBAY

SANJAYKUMAR MARUTI MAGDUM AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA, THROUGH SECRETARY, DEPT OF HIGHER AND TECHNICAL EDUCATION AND ORS ...Respondent(s)

WITH
Writ Petition NO. 1664 OF 2014

SHR. SHALGAONKAR SUDAM RAJRAM AND ANR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA, THROUGH SECRETARY, HIGHER EDUCATION DEPT AND ORS ...Respondent(s)

WITH
Writ Petition NO. 1714 OF 2011
WITH
Civil Application No. 257 of 2015

DR GUGALE GULAB SHESHMAL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 1811 OF 2009

SALIL IBRAHIM MODAK ...Petitioner(s)
Versus
DR. BALASAHEB SAWANT KOKAN KRISHI VIDYAPEETH, DAPOLI AND ANR. ...Respondent(s)

WITH
Writ Petition NO. 1987 OF 2015

PRATAP BAPUSO LAD ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY AND ORS ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 1988 OF 2015

RAJENDRA KARBHARI PATIL AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 1989 OF 2015

PANDURANG JAGANNATH RUPNAR AND ANR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY
TO GOVT. OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 2119 OF 2015

LANGOTE ULHAS BANAB AND ORS. ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 2503 OF 2015

DR. RAMESH MAHADEO GEJAGE AND ANR. ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 2823 OF 2014

ARJUN GANGARAM NERKAR AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA,
THROUGH PRINCIPAL SECRETARY,
DEPT OF HIGHER EDUCATION AND ORS ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 3195 OF 2015

HANUMANT KRISHNA AWATADE AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY
TO GOVT. OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 3874 OF 2014

SHRI. DR. BHARAT VITTHAL PATIL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA,
THROUGH SECRETARY,
HIGHER EDUCATION DEPT AND ORS ...Respondent(s)

WITH
Writ Petition NO. 4455 OF 2015

DR. GHORUDE TATYARAO NAMDEORAO AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
PRINCIPAL SECRETARY AND ORS ...Respondent(s)

WITH
Writ Petition NO. 5591 OF 2015

SHIVAJI UNIVERSITY TEACHERS
ASSOCIATION (SUTA)
THROUGH ITS OFFICE SECRETARY
DR. S.A. BOJAGAR AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY
TO GOV. OF MAHA. AND ORS. ...Respondent(s)

WITH

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HIGH COURT OF JUDICATURE AT BOMBAY

Writ Petition NO. 5762 OF 2015

MAHARASHTRA NET/SET QUALIFIED
TEACHERS ASSOCIATION THROUGH
ITS ACTING PRESIDENT
DR. A BAGUL AND ORS ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 5849 OF 2015

DR. SHESHRAO S/O VENKATRAO SHETE ...Petitioner(s)
Versus
1. THE STATE OF MAHARASHTRA,
THROUGH THE SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5851 OF 2015

DR. VIVEK VISHNUPANT JOSHI AND ORS. ...Petitioner(s)
Versus
STATE OF MAHARASHTRA THROUGH
ITS SECRETARY FOR HIGHER
AND TECHNICAL EDUCATION AND ORS. ...Respondent(s)

WITH
Civil Application (St.) No. 27919 of 2015
IN
WRIT PETITION NO. 5851 OF 2015

Krishna K. Dixit ..Applicant
Vs.
DR. VIVEK VISHNUPANT JOSHI AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5863 OF 2015

SHRI VILAS RAMBHAU THAKRE & OHR. ...Petitioner(s)

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Versus
STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 5864 OF 2015

DIWAKAR MALOJI KAMBLE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTH. ...Respondent(s)

WITH
Writ Petition NO. 5865 OF 2015

PRAMILA D/O UDHAVRAO BHAGAT AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY AND ORS ...Respondent(s)

WITH
Writ Petition NO. 5866 OF 2015

DR. SANJAY DIGAMBAR PALWEKAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTH. ...Respondent(s)

WITH
Writ Petition NO. 5867 OF 2015

DR. SYED HUSAIN HAIDAR ZAIDI ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5868 OF 2015

DR. (MRS) KALPANA VASANT JADHAV ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTH. ...Respondent(s)

WITH

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HIGH COURT OF JUDICATURE AT BOMBAY

Writ Petition NO. 5869 OF 2015

DR.WASUDHA JAGDISH
MESHRAM AND 2 OTHERS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5870 OF 2015

DR.MADHAV S/O. KISANRAO ZARE ...Petitioner(s)
Versus
THE SATES OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5871 OF 2015

DR. MS. MUBARAQUE QURAISHI ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5872 OF 2015

DILIP S/O. ZAGA CHAUDHARI ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5873 OF 2015

DR.RAMESH KAWDUJI NIKHADE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5874 OF 2015

DR. VILAS S/O BAPURAO AGHAV ...Petitioner(s)
Versus

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HIGH COURT OF JUDICATURE AT BOMBAY

1) THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 5875 OF 2015

DR.WASUDEO JAIRAMJI CHOUDHARI ...Petitioner(s)
Versus
THE STATE OF MARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5876 OF 2015

DR. RAJESH S/O PANDURANG
WAIGAONKAR AND ANR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTH. ...Respondent(s)

WITH
Writ Petition NO. 5877 OF 2015

RAJENDRA RAKHAMAJI DANDAWATE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA, AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5878 OF 2015

DR. VILAS KESHAVRAO BHIMANWAR ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5879 OF 2015

DR.VILAS TULSHIRAM GAJBHIYE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5880 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

SUNITA NATHA KALE @ SUNITA
ARVIND JAGTAP AND OTHERS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5881 OF 2015

DR. BABURAO DHARAMDAS GHARADE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTH. ...Respondent(s)

WITH
Writ Petition NO. 5883 OF 2015

TANAJI SHAMRAO MOREY ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5885 OF 2015

RAJU S/O BALIRAM GORE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5887 OF 2015

DR. RAMESHKUMAR S/O
VISHWAMBHARRAO KAKDE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 5889 OF 2015

DR.MAHENDRA PUNDLIKRAO DHORE ...Petitioner(s)
Versus

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HIGH COURT OF JUDICATURE AT BOMBAY

THA STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5890 OF 2015

DR.RAVINDRA S/O. MAHADU SALUNKE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA. ...Respondent(s)

WITH
Writ Petition NO. 5892 OF 2015

DR RAJESH SHANTARAMJI HAJARE, ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTH. ...Respondent(s)

WITH
Writ Petition NO. 5893 OF 2015

1) SANJAY S/O. RATAN KHAIRNAR AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY
TO GOVERNMENT OF
MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5894 OF 2015

DR. HARIBHAU S/O TUKARAM SATPUTE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5898 OF 2015

DR.MANISHA KRISHNARAO DESHPANDE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 5899 OF 2015

VIJAY DALPATRAO KAPSE & OTHRS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTH. ...Respondent(s)

WITH
Writ Petition NO. 5900 OF 2015

DR. ANIL S/O . GANPATRAO GACCHE
AND ANOTHER ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5904 OF 2015

VISHWANATH EKNATH PATIL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5905 OF 2015

TIKARAM S/O DEWAJI KOKE & OTHR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTH. ...Respondent(s)

WITH
Writ Petition NO. 5906 OF 2015

NARESH RANGRAOJI YENORKAR ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5910 OF 2015

ANIL NARAYANRAO KALYANKAR AND ORS. ...Petitioner(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5911 OF 2015

DR. BALIRAM VISHWANATH RAKH AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 5915 OF 2015

DR. SHARAD RAMCHANDRA DAVARE AND OTHERS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5916 OF 2015

SANJAY NATTHUJI SHENDE AND OTHERS ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5917 OF 2015

VILAS KASHINATHJI GHATURLE ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5918 OF 2015

1. DR. BHAGWANDAS G. SURYAWANSHI ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5922 OF 2015

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BHUMREDDY VITHALREDDY PULLAGOR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5923 OF 2015

NANASAHEB S/O SANTOSH PATIL ...Petitioner(s)
Versus
THE NORTH MAHARASHTRA
UNIVERSITY AND OTHER ...Respondent(s)

WITH
Writ Petition NO. 5926 OF 2015

DR. NANDKISHOR S/O HANUMANTRAO
DESLE AND OTHERS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

Writ Petition NO. 5927 OF 2015

NAGPUR UNIVERSITY TEACHERS
ASSOCIATION THROUGH ITS
SECRETARY SHRI ANIL WAMANRAO DHAGE ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5928 OF 2015

DAYANAND RAMRAO MANE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5929 OF 2015

ASHA NATTUJI KATEKHAYE ...Petitioner(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5931 OF 2015

DR. VISHNU S/O RAMDAS GUNJAL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 5932 OF 2015

SANJAY NIVRATIRAO KADAM AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5933 OF 2015

SANJEEV MACHINDRA REDDY AND ORS. ...Petitioner(s)
Versus
1.THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY OF
GOVERNEMTN OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5935 OF 2015

YOGESHWAR Y. DUDHAPACHARE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5936 OF 2015

VASUDEO S/O SOMAJI PATEL AND ORS ...Petitioner(s)
Versus
UNI. GRANTS COMMISSION, AND ORS ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 5942 OF 2015

PRAFUL SAHEBRAO DEORE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5944 OF 2015

DR. SUNIL VIKRAM KUWAR AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 5945 OF 2015

DR. CHHAYA P. PATLE ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5952 OF 2015

NEELIMA SHRIRAMPANT HAJARE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5954 OF 2015

SANJAY RAMDAS PAKHMODE ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5955 OF 2015

DR. ANIL SHIVRANGI DAHAT AND OTHERS ...Petitioner(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5956 OF 2015

SUBHASH GIRDHAR SALUNKE AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 5957 OF 2015

JUGAL PANDURANG TAYADE. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5958 OF 2015

BHARAT MOTIRAM RATHOD ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5960 OF 2015

DR. BALKRISHNA BALIRAM PARSHURAMKAR ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5962 OF 2015

DR.ANIL MAHADEORAO SHENDE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5963 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

SHASHANK JANARDAN AGLAWE AND OTHERS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5964 OF 2015

DR. NAMDEO S/O NIVRUTTI MUNDHE. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 5965 OF 2015

1)KAILAS S/O BHALERAO PATIL AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5967 OF 2015

PRITHVIRAJ JAISING KHINCHI ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5969 OF 2015

BHASKAR S/O. SHANKAR TEKALE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5972 OF 2015

BIPINCHANDRA S/O NARAYAN SHINDE AND ANR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 5974 OF 2015

GAJANAN RAMRAO SOMKUWAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5976 OF 2015

DR. ABHAY BHAUSAHEB SALUNKE ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5981 OF 2015

DR.KALIDAS S/O PRABHAKARRAO
GUDADE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5982 OF 2015

ANIL DEWAJI GAIKWAD ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5986 OF 2015

RAMESHCHANDRA FULCHAND AGARWAL ...Petitioner(s)
Versus
THE NORTH MAHARASHTRA
UNIVERSITY AND OTHER ...Respondent(s)

WITH
Writ Petition NO. 5989 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

DR. SADASHIV KISANRAO KAMALAKAR AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA,
THROUGH THE PRINCIPAL
SECRETARY TO GOVERNMENT OF
MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 5990 OF 2015

RADHESHYAM KUSAN DIPTE ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5994 OF 2015

DR. VIJAY S. DIGHORE AND OTHERS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5995 OF 2015

MADHUKAR FAKIRAJI JADHAV ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 5996 OF 2015

NAGPUR UNIVERSITY TEACHERS
ASSOCIATION,AND OTHERS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6001 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

SATISH WAMANRAO KHARWADE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6003 OF 2015

DR.MRS.SHUBHA A. GHADGE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6006 OF 2015

SHRI. DILIP LAXMANRAO THAKRE ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6008 OF 2015

DEVENDRA S/O NARAYAN VYAS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6009 OF 2015

SHRI RAJESH LILADHARRAO
GULHANE AND OTHERS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6010 OF 2015

DR.(MRS) SHALINI RAMDAS FULMALI AND ORS ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 6011 OF 2015

RAMESH R. KOHAD ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6012 OF 2015

SANJAY SAHEBRAO TAKADE ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6013 OF 2015

PRAKASH LAXMANRAO NEULKAR AND OTHERS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6014 OF 2015

ANANDRAO RATIRAM RAMTEKE ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6029 OF 2015

DR. SHASHIKANT SHIVAPPA TOLMARE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY
MAHARASHTRA STATE AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6030 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

DR. RAMESH UMLA ADE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6032 OF 2015

DR.MAHESH S/O SAKHARAM BACHEWAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6033 OF 2015

DR. NANASAHEB BALASAHEB PATIL AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 6035 OF 2015

SHRI SUHAS TUKARAM KOLIKAR AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6036 OF 2015

DR. AJAY S/O. PRABHAKAR KUNTE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY
OF GOVERNEMENT OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6037 OF 2015

DR. BALU S/O. SOPANRAO GITTE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 6038 OF 2015

DR.KISHAN S/O RAMLU SUNEWAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6039 OF 2015

VAIJANATH VENKATRAO CHATE ...Petitioner(s)
Versus
THE UNIVERSITY GRANTS
COMMISSIONER AND ANR ...Respondent(s)

WITH
Writ Petition NO. 6040 OF 2015

DR. SANJAY VASANTRAO DESHMUKH
AND OTHERS ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6041 OF 2015

DR. SANJAY VISHWASRAO BORSE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY, ...Respondent(s)

WITH
Writ Petition NO. 6043 OF 2015

SUHAS S/O. RANGNATHRAO MORALE AND ANR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH

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HIGH COURT OF JUDICATURE AT BOMBAY

Writ Petition NO. 6045 OF 2015

SUNIL GULAB PANPATIL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 6046 OF 2015

DR.SHRIRAM S/O SATWAJI JADHAV ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6047 OF 2015

SUNIL MADHUKAR NAVE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6048 OF 2015

SATISH S/O. SURESHRAO HIVAREKAR AND ANR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6049 OF 2015

DR. (MRS) BHAVANA WAMAN
KHAPEKAR(MISS BHAVANA T. KOHAD)
AND OTHERS ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6050 OF 2015

RAVI DHONDIRAJ BARDE ...Petitioner(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

Versus
STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 6051 OF 2015

DR.SANJAY S/O NIVRATIRAO SHINDE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6055 OF 2015

RAJKUMAR KISANRAO BHAGAT, ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6057 OF 2015

LOTAN JAGANNATH GAWLI AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6059 OF 2015

KAILASH SHRAVAN PATIL AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 6061 OF 2015

DR. MOHAMMAD ABDUL BASEER
S/O MOHAMMAD ABDUL BARI ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE SECRETARY, ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 6063 OF 2015

DR. RAMESH MOHANRAO DHONDGE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6064 OF 2015

DILIP DAJIBA CHAUDHARI ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6068 OF 2015

SUNIL RAOSAHEB RAUT ...Petitioner(s)
Versus
THE UNION OF INIDA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 6069 OF 2015

SHRINIVASRAO RANGRAO BHUPALWAR ...Petitioner(s)
Versus
THE STATE OF MAHARASTRA ...Respondent(s)

WITH
Writ Petition NO. 6070 OF 2015

MADHAV NAMDEV GAIKWAD AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 6073 OF 2015

PROF. ARUN S/O BABURAO JADHAO ...Petitioner(s)
Versus

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HIGH COURT OF JUDICATURE AT BOMBAY

1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6074 OF 2015

DR. MADHUKAR PANDHARINATH AGHAV AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6075 OF 2015

VASANT DEVIDASRAO SATPUTE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 6076 OF 2015

NAGPUR UNIVERSITY TEACHER'S
ASSOCIATIION, AND OTHERS ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6077 OF 2015

DR. MADHAVRAO RAGHOJI JADHAV AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6078 OF 2015

ASHOK DAULATRAO CHAVAN AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 6079 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

SURESH S/O. BHASKAR DHAKE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6080 OF 2015

RAJENDRA UESHWANTRAO DESHMUKH ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6081 OF 2015

DR. ANAND VISHWANATH MANWAR ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6082 OF 2015

DR.SANJAY PANDURANG PATIL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6088 OF 2015

DR.SURESH KAUTIK SHELAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6090 OF 2015

DR. SYED SHUJAUT ALI S/O SYED INAYAT ALI ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 6092 OF 2015

NAGPUR UNIVERSITY TEACHERS
ASSOCIATION AND OTHERS , ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE SECRETARY, ...Respondent(s)

WITH
Writ Petition NO. 6100 OF 2015

DR. KAMLAKAR S/O ESHAO ASKAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6105 OF 2015

CHHAYA VECHYA THINGALE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6108 OF 2015

NARENDRA S/O SUMERCHAND SHARMA ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6111 OF 2015

RAJU S/O SITARAM PAWAR AND OTHERS ...Petitioner(s)
Versus
1. STATE OF MAHARASHTRA AND
OTHERS THROUGH ...Respondent(s)

WITH
Writ Petition NO. 6112 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

VIJAY S/O. BHOJU KHAIRNAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6115 OF 2015

ANIL S/O MAHADU CHAUDARI ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6116 OF 2015

NAGPUR UNIVERSITY TEACHER'S
ASSOCIATION THROUGH ITS SECRETARY ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6117 OF 2015

DHIRAJ RATILAL VAISHANAV ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Civil Application No. 1847 of 2015
IN
Writ Petition NO. 6117 OF 2015

THE STATE OF MAHARASHTRA AND ORS ....Applicants.
Versus
DHIRAJ RATILAL VAISHANAV ...Respondent

WITH
Writ Petition NO. 6118 OF 2015

ASHOK S/O PANDURANG NIKAM ...Petitioner(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6121 OF 2015

ANIL S/O. VITTHAL BAVISKAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6124 OF 2015

DR. KISHOR S/O. GOVIND KOLHE & OTHERS ...Petitioner(s)
Versus
STATE OF MAHARASHTRA & ORS
THROUGH THE PRINCIPAL SECRETARY
TO GOVERNMENT OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6125 OF 2015

DR. SIRAS BHAYYALAL KATMUSARE
AND OTHERS R/O RANI INDIRABAI ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6126 OF 2015

DR.SHAKUNTALA MITHARAM BHARAMBE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6129 OF 2015

IDRISKHAN S/O GOHARKHAN PATHAN ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND

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HIGH COURT OF JUDICATURE AT BOMBAY

OTHERS THROUGH ITS SECRETARY
HIGHER EDUCATION DEPARTMENT ...Respondent(s)

WITH
Writ Petition NO. 6131 OF 2015

DR. SUNIL GANPAT BAVISKAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6133 OF 2015

SAU. MANDAKINI NILKANTH CHAUDHARI ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6135 OF 2015

VISHWAS S/O NIMBA KOLI & ORS ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6137 OF 2015

DR. KARUNA W/O PRATAP DESHMUKH ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6138 OF 2015

DR. SANGITA SANDEEP SHINDE ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6139 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

SHIVSHANKAR S/O NAGASHETTEY HALLALE, ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6140 OF 2015

RAVINDRA MARUTI CHOBHE AND OTHERS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6141 OF 2015

PROF.DR.AVINASH YOGRAJ BADGUJAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6142 OF 2015

DR. KIRANKUMAR S/O LAXMANRAO BONDAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6144 OF 2015

HIRALAL MANGAL PATIL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6145 OF 2015

DR. VANDEO CHIMANJI BORKAR ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 6146 OF 2015

MOHAN S/O THOGYA PAWARA ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6147 OF 2015

DR. DILIP S/O SAMBHAJIRAO
PALIMKAR AND ANOTHER ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6148 OF 2015

PROF. DR. SMT. INDIRA SANTOSH PATIL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6152 OF 2015

GOVIND ONKAR CHAUDHARI ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6153 OF 2015

NILESH S/O HIRALAL CHITTE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6154 OF 2015

SATISH S/O KISHANPRASAD TIWARI ...Petitioner(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6158 OF 2015

SAU. JAYASHREE C. SALUNKHE ...Petitioner(s)
Versus
STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6161 OF 2015

MADUKAR S/O GANDADHAR KASAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6164 OF 2015

SHAIKH HASIM HOHD. ISSAK ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6166 OF 2015

JITENDRA SHAMSING GIRASE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6167 OF 2015

MIRZA MAQSOOD BAIG AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6180 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

NITIN PANDURANGRAO BAWALE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS . ..Respondent(s)

WITH
Writ Petition NO. 6181 OF 2015

ASHOK S/O. RANGNATH TUWAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6182 OF 2015

RAJENDRA BHASKAR INGALE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6185 OF 2015

NIRMALA SAHADEO WANKHEDE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6195 OF 2015

APSING S/O. RUMA VASANE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6198 OF 2015

KANTILAL RAJBHAU SONWANE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 6212 OF 2015

SANJAY JAGANNATH BHADANE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6215 OF 2015

DR.SATISH S/O ADHAR PATIL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6291 OF 2015

PRADEEP RAMCHANDRARAO BHANSE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6294 OF 2015

BIKASHCHANDRA MUKUNDA ROY ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6295 OF 2015

PROF.DR.SUNIL S/O. SHANKARRAO BIDWAIK ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6297 OF 2015

BUDHAGHOSH M. LOHAKARE . ...Petitioner(s)
Versus

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HIGH COURT OF JUDICATURE AT BOMBAY

THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6310 OF 2015

RAMESH RAMCHANDRA HALAMI ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND OTHERS ...Respondent(s)

WITH
Writ Petition NO. 6700 OF 2015

VANDANA NARAYANE RANE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6710 OF 2015

ANAND VIJAYRAOKUMAR WALANKIKAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6713 OF 2015

GODAVARI NARAYANRAO BHUSARE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6715 OF 2015

SUREKHA SANDASHIVRAO SHINDE AND OTH. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6717 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

VITHAL KISANRAO JADHAV & OTH. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6718 OF 2015

SADANAND VISHWESHWARRAO
AITHAL AND ANR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6719 OF 2015

RAJENDRA MADHUKAR MARWADE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6720 OF 2015

VIJAYA DIGAMBARRAO GADAVE AND OTH. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6721 OF 2015

MARUTI MOTIRAM BAMNE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6722 OF 2015

SUBHAS KISANRAO SHINDE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 6748 OF 2015

DR. MADHAV S/O CHINTAMANI KHOT AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6809 OF 2015

NANDKISHOR MADHAVRAO
MOGHEKAR AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA, ...Respondent(s)

WITH
Writ Petition NO. 6814 OF 2015

SIDDHARTH S/O NAMDEO MADARE, ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA,
THROUGH ITS SECRETARY, ...Respondent(s)

WITH
Writ Petition NO. 6818 OF 2015

DR. SHIVAJI VITHALRAO WAYBHASE, ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA,
THROUGH ITS PRINCIPAL SECRETARY, ...Respondent(s)

WITH
Writ Petition NO. 6824 OF 2015
WITH
Civil Application (St.) No. 22620 of 2015

DR. VINA W/O VIJAY PATIL AND ORS. ...Petitioner(s)
Versus
THE STAT OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY, ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 6829 OF 2015

DR.(MRS.) VIDYA SHRIKRISHNA BHARAMBE,
(KU. VIDYA M. CHOUDHARI), AND ORS. ...Petitioner(s)
Versus
STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 6843 OF 2015

VIVEK S/O DOMODHARRAO MURKUTEY ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6845 OF 2015

DR. KISHOR S/O MANIKRAO WATH. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6846 OF 2015

LEMCHAND SAMBHAJI DURGE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 6896 OF 2015

SHAHAJI DATTATRAYA SHINDE AND ANR. ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 7352 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

PRAKASH RAOSAHEB SHINDE AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH PRINCIPAL SECRETARY AND ORS ...Respondent(s)

WITH
Writ Petition NO. 7447 OF 2015

MANISHA SHANTILAL GIRASE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY,
HIGHER EDUCATION DEPT. AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 7468 OF 2015

RAMRAO S/O BABARAO RAMPURE, ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
Writ Petition NO. 7857 OF 2015

SHIVAJI UNIVERSITY TEACHERS
ASSOCIATION (SUTA) THROUGH
ITS OFFICE SECRETARY
DR. S.A. BOJAGAR AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THORUGH
THE PRINCIPAL SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 7888 OF 2014

PARAM PUJYA SWAMI VIVEKANAND
SEVASHRAM SANSTHA, THROUGH CHAIRMAN ...Petitioner(s)
Versus
SHRI. SURYAKANT BHIMRAO KAMBLE AND ORS ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 8026 OF 2015

RAMESH SHESHRAO SONTAKKE & ANR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ANR. ...Respondent(s)

WITH
Writ Petition NO. 8031 OF 2015

DR. ABHAY S/O MADHUKARRAO PATIL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ANR. ...Respondent(s)

WITH
Writ Petition NO. 8039 OF 2015

DR. SATISH GALPAJI ALGUDE & ANR. ...Petitioner(s)
Versus
THE UNIN OF INDIA ...Respondent(s)

WITH
Writ Petition NO. 8041 OF 2015

CHANDRSHEKKAR H. SAWARKAR AND ANR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA AND ANR. ...Respondent(s)

WITH
CIVIL APPLICATION (STAMP) NO. 27918 OF 2015
IN
Writ Petition NO. 8041 OF 2015

Smita Himmatrao Behere ...Applicant.
Vs.
Chandrashekkar H. Sawarkar & Anr. ...Respondents.

WITH
Writ Petition NO. 8073 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

PROF. MADHUKAR S/O TUKARAM KSHIRSAGAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8076 OF 2015

DR. SURYAKANT S/O. NAGNATH KALASKAR & OTHR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8077 OF 2015

PROF. ARJUN S/O. SITARAM PAWAR AND OTHR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8078 OF 2015

DR. SHAHURAJ S/O. SUGRIV MULA & OTHR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8166 OF 2015

DR. ANIRUDDH S/O SOUNDAJI BANSODE, ...Petitioner(s)
Versus
THE SATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8167 OF 2015

KAKASAHEB S/O GANGADHAR
POKALE AND OTHR ...Petitioner(s)
Versus
THE SATE OF MAHARASHTRA & ORS. ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 8176 OF 2015

DR. RAMESH S/O BABURAO CHOUGULE ...Petitioner(s)
Versus
THE SATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8182 OF 2015

SHAIKH ATIKH S/O USMAN ...Petitioner(s)
Versus
THE SATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8183 OF 2015

DR. SHARADKUMAR GANPATRAO
NARWADE & ORS. ...Petitioner(s)
Versus
THE SATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8184 OF 2015

SUBHAS SAMPAT WAGHMARE AND ORS. ...Petitioner(s)
Versus
THE SATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8187 OF 2015

DNYANESHWAR BHIMRAO MAHAJAN AND ORS. ...Petitioner(s)
Versus
THE SATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8194 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

SADASHIV RAGHUNATH PAWAR & ORS. ...Petitioner(s)
Versus
THE SATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8197 OF 2015

DR. RATNA VYANKAT KIRTANE. ...Petitioner(s)
Versus
THE SATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8198 OF 2015

SANGITA AJAY MAHAJAN, ...Petitioner(s)
Versus
THE SATE OF MAHARASHTRA & ORS. ...Respondent(s)

WITH
Writ Petition NO. 8208 OF 2015

CHANDRAKANT S/O ANGAD JAWALE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA, ...Respondent(s)

WITH
Writ Petition NO. 8211 OF 2015

RAJARAM S/O CHANDRAEN JADHAV AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA, ...Respondent(s)

WITH
Writ Petition NO. 8213 OF 2015

DR. KISHOR HIRAMAN NEHETE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA,
THROUGH ITS SECRETARY, ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 8214 OF 2015

AVINASH SURESH MEHERKAR AND ANR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY,
HIGHER EDUCATION DEPT. AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 8254 OF 2015

DR. JOSHI RAJANI RAMCHANDRA ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY
TO GOVT. OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 8255 OF 2015

SMT. SULAKHE ABOLI AMOL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY TO GOVT. OF
MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 8280 OF 2015

MR. BHAIKDAS S/O HARISHCHANDRA
GAIKWAD AND ANR. ...Petitioner(s)
Versus
THE UNION OF INDIA AND ANR. ...Respondent(s)

WITH
Writ Petition NO. 8292 OF 2015

SAMBHAJI BABURAO BHAMBAR AND ORS ...Petitioner(s)
Versus

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HIGH COURT OF JUDICATURE AT BOMBAY

THE STATE OF MAHARASHTRA THROUGH
PRINCIPAL SECRETARY AND ORS ...Respondent(s)

WITH
Writ Petition NO. 8301 OF 2015

SMT. HOMAIRA BADRUZZAMA
ANSARI AND ANR. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 8320 OF 2015

SHRIDHAR NARSINGHRAO PATIL AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
PRINCIPAL SECRETARY, HIGHER EDUCATION
DEPT. AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 8601 OF 2015

KESARKAR MARUTI AVABA ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH PRINCIPAL SECRETARY AND ORS ...Respondent(s)

WITH
Writ Petition NO. 8609 OF 2015

BALASAHEB NANASAHEB PAWAR AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY TO GOVT.
OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 8689 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

DR. BALASAHEB SAUBA JADHAV ...Petitioner(s)
Versus
THE UNIVERSITY GRANT COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 8690 OF 2015

SHRI. ADHIKARAO HINDURAO NIKAM ...Petitioner(s)
Versus
THE UNIVERSITY GRANT COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 8691 OF 2015

DR. BABASAHEB NANASAHEB RAVAN ...Petitioner(s)
Versus
THE UNIVERSITY GRANT COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 8692 OF 2015

SHRI. NAKADE DHANRAJ BAPURAO ...Petitioner(s)
Versus
THE UNIVERSITY GRANT COMMISSION AND ORS....Respondent(s)

WITH
Writ Petition NO. 8706 OF 2015

NITIN BHIKA KHAIRNAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL
SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 8707 OF 2015

ANSARI LAEEQUE AHMED S/O. SHABBIR AHMED ...Petitioner(s)
Versus

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HIGH COURT OF JUDICATURE AT BOMBAY

THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY TO GOVT. OF
MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 8710 OF 2015

BALASAHEB MADHUKAR PATIL ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 8712 OF 2015

DR. JAGANATH S/O MADHAVRAO
BOCHARE AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 9687 OF 2014

SHIVAJI UNIVERSITY TEACHERS
ASSOCIATION (SUTA), THROUGH
GENERAL SECRETARY AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA,
THROUGH PRINCIPAL SECRETARY,
DEPT OF HIGHER AND TECHNICAL
EDUCATION AND OR ...Respondent(s)

WITH
Writ Petition NO. 9994 OF 2014

CHANDORKAR SHRIKANT BHIKURAM ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA, THROUGH
JOINT DIRECTOR, HIGHER EDUCATION AND ORS ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Writ Petition NO. 10166 OF 2013

BHARATIYA ELIGIBLE STUDENTS
AND TEACHERS ASSOCIATION,
THROUGH PRESIDENT, SHRI. AJAY
DAREKAR AND ANR ...Petitioner(s)
Versus
STATE OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition NO. 10543 OF 2014

SHINDE DNYANOBA GORAKH ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 10565 OF 2014

PRASHANT DATTATRAYA NAOGHARE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA ...Respondent(s)

WITH
CIVIL APPLICATION NO. 930 OF 2015
IN
Writ Petition NO. 10565 OF 2014

Kishore P. Mali ….Applicant
Vs.
Prashant D. Naoghare ...Respondent.

WITH
Writ Petition NO. 10757 OF 2015

ANITA W/O. JEEVAN BODAKE ...Petitioner(s)
Versus

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HIGH COURT OF JUDICATURE AT BOMBAY

THE STATE OF MAHARASHTRA
THROUGH PRINCIPAL SECRETARY AND ORS ...Respondent(s)

WITH
Writ Petition NO. 10771 OF 2015

SHRI RAJENDRA VITHALRAO TIJARE & OTHR. ...Petitioner(s)
Versus
THE STATE OF MAHAASHTRA & ANR. ...Respondent(s)

WITH
Writ Petition NO. 11242 OF 2014

MS. LONDHE MANGAL VISHNU ...Petitioner(s)
Versus
THE UNIVERSITY GRANT COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 11243 OF 2014

MRS. PATIL MEGHA SANJAY ...Petitioner(s)
Versus
THE UNIVERSITY GRANT COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 11244 OF 2014

SHRI. SHINDE ASHOK RAMCHANDRA ...Petitioner(s)
Versus
THE UNIVERSITY GRANT COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 11245 OF 2014

SMT. PATIL MEGHA VIJAY ...Petitioner(s)
Versus
THE UNIVERSITY GRANT COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 11261 OF 2014

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HIGH COURT OF JUDICATURE AT BOMBAY

MRS. RAJMATI RAJARAM PATIL ...Petitioner(s)
Versus
THE UNIVERSITY GRANT COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 11263 OF 2014

MRS. PATIL VARSHA YASHODHAN ...Petitioner(s)
Versus
THE UNIVERSITY GRANT COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 11307 OF 2014

SHRI. SAMPATRAO RAMCHANDRA PARLEKAR ...Petitioner(s)
Versus
THE UNIVERSITY GRANT COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 11342 OF 2015

PROF. AMBHORE ASHOK GANGARAM AND ORS. ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 11392 OF 2013

DR. AVINASH B. SHENDRE AND ORS ...Petitioner(s)
Versus
UNIVERSIITY GRANTS COMMISSION AND ORS ...Respondent(s)

WITH
Writ Petition NO. 11840 OF 2015

MAHARASHTRA NET SET
PATRATADHARAK SAMANVAY
SAMITI THROUGH ITS COORDINATOR AND ORS. ...Petitioner(s)
Versus

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HIGH COURT OF JUDICATURE AT BOMBAY

STATE OF MAHARASHTRA THROUGH
ITS PRINCIPAL SECRETARY,
HIGHER AND TECHNICAL EDU. DEPT. AND ORS. ...Respondent(s)

WITH
Writ Petition NO. 12397 OF 2015

NATIONAL FORUM FOR QUALITY
EDUCATION ALIAS RASHTRIYA
SHAIKSHANIK GUNWATTA MANCH
THRO.B.MUDE AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH CHIEF SECRETARY AND ORS ...Respondent(s)

WITH
Writ Petition (ST) NO. 17682 OF 2015

PRASAD V. LIMAYE ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition (ST) NO. 17689 OF 2015

SUNANDA NARAYAN CHAUDHARI AND ORS. ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition (ST) NO. 18428 OF 2015

DR. TANAJI KAMAJI UDGIRKAR (KAMBLE) AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition (ST) NO. 18732 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

DR. KOKANE PRAVIN MANOHARRAO AND ORS ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND ORS ...Respondent(s)

WITH
Writ Petition (ST) NO. 18973 OF 2015

PANDIT MAHADEO LAWAND AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY TO GOVT.
OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition (ST) NO. 20353 OF 2015

SUDHIR BHIMRAO PAIKEKAR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY
THROUGH THE PRINCIPAL SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition (ST) NO. 21358 OF 2015

ZENDE PURNIMA UMESH ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH PRINCIPAL SECRETARY AND ORS ...Respondent(s)

WITH
Writ Petition (ST) NO. 22459 OF 2015

SHARMILA P. NIRBHAVANE ...Petitioner(s)
Versus
UNIVERSITY GRANTS COMMISSION AND ORS. ...Respondent(s)

WITH
Writ Petition (ST) NO. 22624 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

VINODKUMAR KARBHARI PAWAR AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY TO GOVT. OF
MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition (ST) NO. 22630 OF 2015

PRATIBHA GANESH CHAVAN AND ANR ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY TO GOVT.
OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition (ST) NO. 22634 OF 2015

DATTA KARBHARI DHAS AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY TO
GOVT. OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition (ST) NO. 22635 OF 2015

DR. MANOJKUMAR SHIVAJIRAO MANE AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY TO GOVT.
OF MAHARASHTRA AND ORS ...Respondent(s)

WITH
Writ Petition (ST) NO. 22798 OF 2015

MANISHA ANNASAHEB GAIKWAD ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL

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HIGH COURT OF JUDICATURE AT BOMBAY

SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition (ST) NO. 23737 OF 2015

SANJAY ATMARAM PATIL AND ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY AND ORS. ...Respondent(s)

WITH
Writ Petition (ST) NO. 24846 OF 2015

GANGADHAR GOVIND DHAGE AND ORS ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL
SECRETARY AND ORS ...Respondent(s)

WITH
Writ Petition (ST) NO. 29860 OF 2015

DR. SAMBHAJI MAHIPATI KALE ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY, DEPT. OF
HIGHER EDU. AND ORS. ...Respondent(s)

WITH
Writ Petition (ST) NO. 32837 OF 2015

KEDA NIMBA WAGH ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY
DEPT. OF HIGHER EDUCATION AND ORS. ...Respondent(s)

WITH
Writ Petition (ST) NO. 32982 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

ANSARI JAMEELA PASHA NISAR AHMAD ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY AND ORS ...Respondent(s)

WITH
Writ Petition NO. 12684 OF 2015

NAGPUR UNIVERSITY TEACHERS ASSOCIATION,
THR. ITS SECRETARY, SHRI. ANIL
WAMANRAO DHAGE, & ORS. ...Petitioner(s)
Versus
THE STATE OF MAHARASHTRA,
THR. ITS PRINCIPAL SECRETARY,
DEPT OF SOCIAL JUSTICE &
SPL. ASSTT. MANTRAL ...Respondent(s)

WITH
Cont. Petition NO. 333 OF 2015

DHIRAJ S/O RATILAL VAISHNAV. ...Petitioner(s)
Versus
CHANDRA IYANGAR AND ORS. ...Respondent(s)

WITH
Cont. Petition NO. 334 OF 2015

RAJU SITARAM PAWAR AND ORS ...Petitioner(s)
Versus
SANJAY KUMAR AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 335 OF 2015

DR.SURESH BHASKAR DHAKE AND ORS ...Petitioner(s)
Versus
SANJAYKUMAR AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 336 OF 2015

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HIGH COURT OF JUDICATURE AT BOMBAY

VISHWAS S/O NIMBA KOIL AND ORS ...Petitioner(s)
Versus
CHANDRA IYANGAR AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 337 OF 2015

SUBHASH GIRDHAR SALUNKE AND ORS ...Petitioner(s)
Versus
SANJAYKUMAR AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 338 OF 2015

DR. KISHOR GOVIND KOLHE AND ORS ...Petitioner(s)
Versus
SANJAYKUMAR AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 339 OF 2015

IDRISKHAN S/O GOHARKHAN PATHAN AND ORS ...Petitioner(s)
Versus
CHANDRA IYANGAR AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 340 OF 2015

SUNIL MADHUKAR NEVE AND ORS ...Petitioner(s)
Versus
SANJAY KUMAR AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 341 OF 2015

DR. SUNIL VIKRAM KUWAR AND ORS ...Petitioner(s)
Versus
SANJAYKUMAR AND ORS ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Cont. Petition NO. 342 OF 2015

SANJAY S/O RATAN KHAIRNAR ...Petitioner(s)
Versus
SANJAYKUMAR AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 355 OF 2015

DR. NITIN CHINTAMAN KONGRE ...Petitioner(s)
Versus
DR P.R. GAIKWAD AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 356 OF 2015

SHRI RAJESH T SAWAI ...Petitioner(s)
Versus
DR P R GAIKWAD ...Respondent(s)

WITH
Cont. Petition NO. 388 OF 2015

RAMESH SHESHRAO SONTAKKE AND ORS ...Petitioner(s)
Versus
MR. SANJAY KUMAR, PRINCIPAL
SECRETARY AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 389 OF 2015

SHRI SUNIL S/O RAOSAHEB RAUT ...Petitioner(s)
Versus
SHRI PRAKASH R. GAIKWAD AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 390 OF 2015

RAJENDRA RAKHAMAJI DANDAWATE AND ORS ...Petitioner(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

Versus
SHRI SANJAY CHAHANDE, SECRETARY AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 391 OF 2015

BIPINCHANDRA S/O. NARAYAN
SHINDE AND ANR ...Petitioner(s)
Versus
SHRI SANJAY CHAHANDE,
SECRETARY AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 395 OF 2015

BHASKAR S/O SHANKAR TEKALE AND ORS ...Petitioner(s)
Versus
SHRI. SANJAY CHAHANDE AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 396 OF 2015

PRAMILA D/O UDHAVRAO BHAGAT AND ORS ...Petitioner(s)
Versus
SANJAYKUMAR CHAHANDE AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 397 OF 2015

DR. SURESH KAUTIK SHELAR AND ORS ...Petitioner(s)
Versus
SHRI. SANJAY CHAHANDE AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 419 OF 2015

SATISH S/O. KISHANPRASAD TIWARI ...Petitioner(s)
Versus
DR. MOHAN KHATAL ...Respondent(s)

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HIGH COURT OF JUDICATURE AT BOMBAY

WITH
Cont. Petition NO. 445 OF 2015

SHRI VILAS RAMBHAU THAKRE AND ORS ...Petitioner(s)
Versus
MR. SANJAY CHAHANDE,
THE PRINCIPAL SECRETARY AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 446 OF 2015

DR. SANJAY VASANTRAO
DESHMUKH AND ORS ...Petitioner(s)
Versus
MR. SANJAY CHAHANDE, THE PRINCIPAL
SECRETARY AND ORS ...Respondent(s)

WITH
Cont. Petition NO. 447 OF 2015

SHRI VIJAY DALPATRAO KAPSE AND ORS ...Petitioner(s)
Versus
MR. SANJAY CHAHANDE, THE PRINCIPAL
SECRETARY AND ORS ...Respondent(s)

ORIGINAL SIDE APPEARANCES

Mr. Mihir Desai, Senior Advocate with Ms. Rebecca Gonzalves, Mr. Sariputta Sarnath, Mr. Chetan Mali, Mr. Yashodeep Deshmukh, Mr. Swaraj Jadhav and Mr. Vinamra Kopariha and Mr. Chetan Mali for the Petitioners in Writ Petition Nos. 2082 of 2013, 2133 of 2014, 60 of 2015, 383 of 2015, 643 of 2015, 1282 of 2015, 1306 of 2015, 1311 of 2015, 1544 of 2015, 1899 of 2015, 1901 of 2015, 2031 of 2015, 2480 of 2015, 2575 of 2015, 3196 of 2015 and 2632 of 2013.

Mr. R.S. Apte, Senior Counsel with Mrs. Anjali Helekar, AGP for Respondents/State.

Mr. Rui Rodrigues a/w Mr. Abhishek Tripathi for University Grants

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HIGH COURT OF JUDICATURE AT BOMBAY

Commission as well as for the University of Mumbai.

Mr. C.R. Sadashivan i/by N.M. Ganguli for the Petitioner in WP No. 770 of 2015.

Ms. I.K. Calcuttawala, AGP in WP No. 770 of 2015.

Mr. Anil Singh, Additional Solicitor General a/w Mr. R.V. Desai Special Counsel, Ms. Neeta V. Masurkar, Mr. Sandesh Patil, Mr.P.S.Gujar, Mr.Dushant Kumar, Mr.N.R.Prajapati for Union of India.

APPELLATE SIDE APPEARANCES

Shri C.G.Gavnekar a/w G.S. Hiranandani for the Petitioners in Writ Petition Nos. 334 of 2009, 336 of 2009, 338 of 2009, 340 of 2009, 342 of 2009, 369 of 2009, 374 of 2009, 377 of 2009, 402 of 2009, 5591 of 2015, 7857 of 2015, 9687 of 2014 and Writ Petition (Stamp) No.20353 of 2015.

Shri Yashodeep P. Deshmukh a/w Ramdas A. Shelke a/w N.M.Ganguli for the Petitioners in Writ Petition Nos. 560 of 2014, 781 of 2015, 1467 of 2011, 1472 of 2011, 1479 of 2011, 1480 of 2011, 1481 of 2011, 1714 of 2011, 1987 of 2015 to 1989 of 2015, 2823 of 2014, 4455 of 2015, 5867 of 2015, 5870 of 2015, 5872 of 2015, 5877 of 2015, 5890 of 2015, 5900 of 2015, 5910 of 2015, 5911 of 2015, 5893 of 2015, 5922 of 2015, 5932 of 2015, 5933 of 2015, 5936 of 2015, 5944 of 2015, 5956 of 2015, 5989 of 2015, 6037 of 2015, 6043 of 2015, 6045 of 2015, 6047 of 2015, 6048 of 2015, 6061 of 2015, 6090 of 2015, 6124 of 2015, 6153 of 2015, 6181 of 2015, 6710 of 2015, 6713 of 2015, 6717 of 2015, 6718 of 2015, 8601 of 2015, Writ Petition (Stamp) 21358 of 2015, 6720 of 2015, 6721 of 2015, 6722 of 2015, 8167 of 2015, 9994 of 2014, Contempt Petition Nos. 334 of 2015, 335 of 2015, 337 of 2015, 338 of 2015, 340 of 2015 to 342 of 2015, 390 of 2015.

Shri Mihir Desai, Senior Advovate along with Ms. Rebecca Gonsalvez i/b Mr. Sariputta P. Sarnath a/w Mr. Chetan Mali a/w Mr. Swaraj S. Jadhav a/w Vinamra Kopariha a/w Ms. Devayani Kulkarni a/w Mr. Yashodeep P. Deshmukh for the Petitioners in Writ Petition Nos. 1371

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HIGH COURT OF JUDICATURE AT BOMBAY

of 2015, 1378 of 2015, 2119 of 2015, 6061 of 2015, 6111 of 2015, 6117 of 2015, 6126 of 2015, 6137 of 2015, 6140 of 2015, 6146 of 2015, Writ Petition (Stamp) No. 22459 of 2015.

Shri S.P. Kadam a/w Mr. R.P. Hake Patil a/w Mr. Prashant Raul a/w Mr. P.H.Gaikwad for the Petitioners in Writ Petition Nos. 1662 of 2014, 1664 of 2014, 2503 of 2015, 3874 of 2014, 7888 of 2014, 8689 of 2015 to 8692 of 2015, 11242 of 2014 to 11245 of 2014, 11261 of 2014, 11263 of 2014, 11307 of 2014.

Shri R.V.Govilkar for the Petitioner in Writ Petition No. 1811 of 2009.

Shri P. S.Dani, Senior Advocate a/w Mr. Milind Deshmukh a/w Mr. Sanjay B. Wakhare in Writ Petition Nos. 3195 of 2015, 8254 of 2015, 8255 of 2015, 8292 of 2015, 8609 of 2015, Writ Petition (Stamp) No. 18973 of 2015.

Shri Sagar A Joshi a/w Shri S.D.Khoban for the Petitioner in Writ Petition No. 5762 of 2015.

Shri A.M.Gorde Senior Advocate a/w Mr. Sandeep A. Marathe for the Petitioner in Writ Petition Nos. 5851 of 2015, 5892 of 2015, 8041 of 2015.

Shri Firdos T. Mirza a/w Mr. A. I. Sheikh for the Petitioners in Writ Petition Nos. 5863 of 2015, 5864 of 2015, 5866 of 2015, 5868 of 2015, 5869 of 2015, 5871 of 2015, 5873 of 2015, 5875 of 2015, 5878 of 2015, 5879 of 2015, 5881 of 2015, 5883 of 2015, 5889 of 2015, 5898 of 2015, 5899 of 2015, 5905 of 2015, 5906 of 2015, 5917 of 2015, 5918 of 2015, 5929 of 2015, 5935 of 2015, 5945 of 2015, 5952 of 2015, 5954 of 2015, 5955 of 2015, 5958 of 2015, 5960 of 2015, 5962 of 2015, 5963 of 2015, 5967 of 2015, 5976 of 2015, 5982 of 2015, 5986 of 2015, 5990 of 2015, 5994 to 5996 of 2015, 6001 of 2015, 6003 of 2015, 6006 of 2015, 6008 of 2015, 6009 of 2015, 6011 of 2015, 6012 of 2015, 6014 of 2015, 6040 of 2015, 6055 of 2015, 6064 of 2015, 6080 of 2015, 6125 of 2015, 6291 of 2015, 6294 of 2015, 6297 of 2015, 6310 of 2015, 6846 of 2015, 8026 of 2015, 10771 of 2015, 12684 of 2015 Contempt Petition Nos. 355 of 2015, 356 of 2015.

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HIGH COURT OF JUDICATURE AT BOMBAY

Shri B. G. Kulkarni for the Petitioners in Writ Petition Nos. 5876 of 2015, 6010 of 2015, 6049 of 2015, 6829 of 2015, 6845 of 2015.

Shri Eknath G. Irale a/w Mr. S.W. Mundhe for the Petitioners in Writ Petition Nos. 5885 of 2015, 5894 of 2015, 5981 of 2015, 6033 of 2015, 6036 of 2015, 6070 of 2015, 6075 of 2015, 6078 of 2015, 8073 of 2015, 8076 of 2015, 8077 of 2015, 8078 of 2015, 8712 of 2015.

Shri S.N.Biradar for the Petitioner in Writ Petition No. 5962 of 2015.

Shri N.S.Kadam a/w Mr. D.M.Mane a/w Mr. S.D.Patil for the Petitioners in Writ Petition Nos. 5928 of 2015, 5931 of 2015, 5965 of 2015, 6029 of 2015, 6035 of 2015, 6041 of 2015, 6077 of 2015, 6082 of 2015, 6088 of 2015, 6105 2015, 6121 of 2015, 6129 of 2015, 6135 of 2015, 6185 of 2015, 6212 of 2015, 6809 of 2015, 6818 of 2015, 8197 of 2015, 8198 of 2015, 8213 of 2015, Contempt Petition Nos. 333 of 2015, 339 of 2015, 397 of 2015, 336 of 2015.

Shri Vaibhv V. Ugle i/b Mr. S.V. Talekar for the Petitioners in Writ Petition No. 6068 of 2015 and Contempt Petition No. 389 of 2015.

Shri Ajit D. Hon for the Petitioners in Writ Petition Nos. 6115 of 2015, 6131 of 2015, 6133 of 2015, 6152 of 2015, 6158 of 2015, 6161 of 2015, 6164 of 2015, 6166 of 2015, 7447 of 2015.

Shri R.G.Panchal for the Petitioner in Writ Petition No. 6824 of 2015.

Shri R.K.Adsure for the Petitioner in Writ Petition No. 11840 of 2015.

Shri Bhupesh Mude Petitioner-in-person in Writ Petition No. 12397 of 2015.

Shri A.V. Anturkar, Senior Advocate a/w Shri S.B. Deshmukh for the Petitioner in Writ Petition No. 10166 of 2013.

Shri P. K. Dhakephalkar, Senior Advocate a/w Ms. Gauri Raghuwanshi for the Petitioner in Writ Petition No. 5972 of 2015.

Shri R.S. Apte Senior Advocate a/w Ms. S.S. Bhende AGP for the state.

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HIGH COURT OF JUDICATURE AT BOMBAY

Mr. Rui Rodrigues for Mumbai University in WP Nos. 11392 of 2013, 7999 of 2013, 5452 of 2015, 4455 of 2015, 11840 of 2015.

Mr. Rui Rodrigues a/w Mr. Abhishek Tripathi for UGC.

Mr. Anil Singh, Additional Solicitor General a/w Mr. R.V. Desai Special Counsel, Ms. Neeta V. Masurkar, Mr. Sandesh Patil, Mr.P.S.Gujar, Mr.Dushant Kumar, Mr.N.R.Prajapati for Union of India.

Mr. Ramesh Dube Patil i/by Jay and Co. for Babasaheb Ambedkar Marathwada Aurangabad University for Respondent No. 5 in Writ Petition No. 5972 of 2015 and for Respondent No. 21 in Writ Petition No. 11840 of 2015.

Mr. P.B. Patil for Nagpur University.

Mr. I.M.Khairadi for Respondent No. 6 in Writ Petition No. 9687 of 2014, and for Respondent No. 4 in Writ Petition No. 10543 of 2014.

Mr. Amit Borkar for Shivaji University.

Mr. P.M.Palshikar for Mumbai University-Respondent No.5 in WP Nos. 1899 of 2015, 1901 of 2015, 8601 of 2015 and WP (ST.) 17682 of 2015.

Mr. Sanjay D.Thokde for Respondent No. 4 in Writ Petition No. 5591 of 2015.

Mr. Vipul K. Bodhare i/b Mr. A. M.Joshi for Respondent No. 6 in Writ Petition No. 2119 of 2015.

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HIGH COURT OF JUDICATURE AT BOMBAY

CORAM: ANOOP V. MOHTA AND
A. A. SAYED,JJ.

DATE : December 23, 2015

ORAL JUDGMENT: (Per Anoop V. Mohta, J.)

Rule, returnable forthwith. Heard finally by consent of parties.

Background for a common Judgment

2 By consent, heard finally specifically in view of the following order passed by Supreme Court dated 25 March 2015 in Civil Appeal No.10759/2013 – State of Maharashtra v. Asha Ramdas Bidkar, against the Judgment dated 1-8-2013 of Aurangabad Bench in Asha Ramdas Bidkar v. State of Maharashtra (Writ Petition No.11477/2010):

> "1 On the taking up of Civil Appeal No.10760 of 2013 we have come to learn that several Respondents as well as other Lectures/Assistant Professors similarly placed who are vitally affected by the core issue which has now been canvassed before us have neither been impleaded nor have been heard by the High Court of Judicature at Bombay. We are further informed that as on date there are over hundred Writ Petitions pending in the Principal Bench and the Benches at Nagpur and Aurangabad of the High Court of Judicature at Bombay. It has been pointed out by the Learned Senior Counsel that Maharashtra Federation of University &

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HIGH COURT OF JUDICATURE AT BOMBAY

College Teachers Organisation, (MFUCTO), Respondent in Civil Appeal No.10759/2013, had filed a Writ Petition which is pending before the Principal Bench. This Association is also seeking to be heard in the proceedings before us.

2 In these circumstances the course which commends itself to us is to stay the operation of the Impugned Order without, in any manner, causing any disadvantage to any of the parties who are the beneficiaries to the Impugned Judgment. We are staying the operation of the Impugned Judgment since several other Writ Petitions are also pending and Co-ordinate Benches would otherwise be bound to follow the previous decision or refer the conundrum or recommend to the Hon'ble Chief Justice to constitute a Larger Bench, if the already articulated terms of the Co-ordinate Benches are found to be unacceptable. It is not controverted that Public Notice had not been given in respect of this litigation. Therefore, there is the need to stay the operation of the Impugned Order, so as to enable denovo consideration of the pending Writ Petition.

3 Accordingly, we request Hon'ble the Chief Justice of the High Court of Judicature at Bombay to constitute or nominate a Bench at the Principal Bench, to which all pending Writ Petitions should be transferred, and which Bench should forthwith take up the matters, in expedition, and decide all the Writ Petitions preferably within a period of six months from today. We also direct the State of Maharashtra to give wide publicity to the pendency of these Writ Petitions at the Principal Bench so that any person desirous of being heard may be able to do so, if that is found by it to be necessary and/or expedient.

4 In view of the above, learned counsel for the Appellant in Civil Appeal No. 10760 of 2013 seeks leave to withdraw the Appeal with liberty granted to

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HIGH COURT OF JUDICATURE AT BOMBAY

the Appellant to approach the High Court of Judicature at Bombay. This Appeal is dismissed as withdrawn with liberty granted as prayed for.

5 We reiterate that the reason for which we have stayed the Impugned Order is to enable the Division Bench to look into the matters and decide them afresh. This does not preclude them from chartering the same course as in the Impugned Judgment, but that should be by way of a Judgment containing reasons for the conclusion.

6 Mr. B. H. Marlapalle learned Senior Counsel for the State of Maharashtra assures the Court that no adverse action shall be taken against the Respondents in the Appeals before us. The above arrangement shall, needless to clarify, be subject to the final orders that will be passed in Civil Appeal No.10759 of 2013.

7 Liberty is also granted to affected persons to seek in the High Court of Judicature at Bombay ad interim orders which may place them on parity with other Lecturers/Assistant Professors similarly placed."

3 The Supreme Court by this order, therefore, stayed the judgment dated 1.8.2013 in Asha Ramdas Bidkar (supra) and consequently also the following relief so granted by the Division Bench, which reads as under :

" - - - - - - - - - - -

4) It is not in dispute on the part of the University Grants Commission or even by the respondent Nos. 1 to 3 that petitioners were appointed, granted approval and their appointments were made in conformity with the rules and regulations, except the passing of NET/SET examination.

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HIGH COURT OF JUDICATURE AT BOMBAY

> 5) Based on the scheme announced by UGC and adopted by the State Government, the lecturers in Senior Colleges who possess requisite qualification and qualifying duration of service are entitled for pecuniary benefit of higher scale of pay under the scheme called as "Career Advancement Scheme" ("CAS" for short). According to the Petitioners they do qualify for said benefit.
>
> - - - - - - - - - - - - - - -
>
> 15) The stand taken by the State is wholly unjust and deserves to be rejected.
>
> 16) Therefore, now the respondent Nos. 1 to 3 ought not and cannot deny to the petitioners the benefit of Career Advancement Scheme.
>
> 17) This Court, therefore, allows the writ petition in terms of prayer clauses (A) and (B), with modification that interest on arrears shall carry interest @ 6% per annum, from the date when the payment became due."

Due notices of hearing

4 All the writ petitions, about 400 in number, have been transferred and tagged. This Special Bench as directed by the learned Chief Justice on 4 June 2015, has listed the matters for final hearing by consent.

5 Due notices, as directed, have been given from time to time starting from 16.07.2015/20-08-2015, to the concerned parties,

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HIGH COURT OF JUDICATURE AT BOMBAY

through the Registry at the Principal Bench and the Benches at Nagpur, Aurangabad and Goa, apart from notices/intimations by the State including public notices, as stated, even in news papers also. All the timely orders are part of record.

Restricted to Broader issues/challenges

6 By consent, all have proceeded with some of the Petitions, as lead Petitions instead of individual Petition for and against the broader common issues, revolving around relevancy/importance of National Eligibility Test (NET)/State Eligibility Test(SET) (for short, the "NET/SET") qualification/examination as stated to be necessary and essential qualification for getting appointment and all the service benefits, including "Career Advancement Scheme" benefits (CAS) and related monetary entitlement including "the continuity of service". The counter challenges are also raised against the UGC letters/resolutions granting the relaxation/exemption from such qualification and to the State Government Circular dated 27.06.2013 granting continuity of service and other benefits to non-NET/SET teachers/lecturers from the date of Resolution, subject to certain conditions. (The impugned Circular).

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HIGH COURT OF JUDICATURE AT BOMBAY

7 Admittedly, some matters are pending even in Supreme Court. We have, therefore, without touching the issues so pending in the Supreme Court, but as directed and observed in the order so reproduced above, consciously proceeded to decide common connected issues so raised revolving around NET/SET qualification and its importance in service career of Lecturers/teachers, who have been duly appointed by the respective Universities, during the period 19.9.1991 to 3.4.2000, based upon then existing provisions of UGC Act and the Regulations, and State Government Circulars, so referred in the impugned Resolution/circular.

Petitioners/teachers/lecturers/Universities/ Colleges and Respondents

8 The Writ Petitions, by invoking Articles 14, 16, 21, 226 of the Constitution of India, are filed by individual Petitioners/teachers/lecturers and through their respective Associations and thereby various challenges are raised including the requirement and the mandate of NET/SET qualification for all the benefits including CAS, apart from continuity of service, in view of

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HIGH COURT OF JUDICATURE AT BOMBAY

relaxation/exemption have been granted by the UGC in mass, on the Universities/teachers/lecturers representations made, individually and/or collectively/in mass.

9 The counter Writ Petitions are filed by lecturers/teachers/persons who are holding the NET/SET certificate/qualification and those who have passed the NET/SET examination pursuant to the mandate so issued from time to time, by the Respondents-University Grants Commission (UGC) / Universities and the State. They have raised various issues and resisted the claim of the above group of Petitioners who have not acquired the NET/SET qualification or passed such test. They have also challenged the Respondent's action of stated exemption/relaxation and the State's action of granting (who have not completed and/or obtained NET/SET qualification yet) continuity of service, all related benefits, by the impugned Resolution and related actions.

10 The following Non-Agriculture Universities in Maharashtra are also Respondents in these respective matters:

(1) University of Mumbai

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HIGH COURT OF JUDICATURE AT BOMBAY

(2) Savitribai Phule Pune University

(3) Rashtrasant Tukdoji Maharaj Nagpur University

(4) Sant Gadge Baba Amravati University

(5) North Maharashtra University, Jalgaon

(6) Swami Ramanand Teerth Marathwada Univertsity, Nanded

(7) Dr. Babasaheb Ambedkar Marathwada University, Aurangabad.

(8) Shivaji University Kolhapur

(9) Solapur University, Solapur

(10) SNDT Women's University, Mumbai

(11) Gondwana University, Gadchiroli (Est.2011)

11 The colleges are having following streams of subjects:-

(1) Arts

(2) Science

(3) Commerce

(4) Education

(5) Social work

(6) Law

(7) Music

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HIGH COURT OF JUDICATURE AT BOMBAY

(8) Journalism & Mass Communication.

The parties Affidavit-rejoinder-written submissions are filed.

12 The contesting respective parties have filed affidavits/additional affidavits, rejoinders, synopsis and the written notes of Arguments.

Union of India/Central Government

13 The Union of India/Central Government is the supreme authority to deal with the every aspects of education policy and related issues, in India. All are bound by the orders/directions of the Central Government Government under the University Grants Commission Act, 1956 (The UGC Act). The Union of India has also filed an affidavit after directions issued by this High Court. It is submitted that no such affidavit was filed by the Union of India at earlier point of time opposing the contentions of the Petitioners including the action of UGC of granting stated relaxation from the qualification of NET/SET requirement. Union of India has opposed the grant of prayers in the Petitions of non-NET/SET lecturers.

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HIGH COURT OF JUDICATURE AT BOMBAY

Basic UGC Act provisions

14 The Respondent/UGC is a statutory body established under the UGC Act. This Act makes provision for the coordination and determination and standard in Universities and for that purpose to establish University Grants Commission. The following are the relevant provisions. Section 2 deals with the definitions. Chapter III deals with the powers and functions of the Commission. Section 14 deals with the Consequences of failure of Universities to comply with recommendations of the Commission. The other relevant sections are 20, 22, 26 (1), (c), (d), (e) and clauses (2) and (3). Same are reproduced as under :

> **"20 Directions by the Central Government**.
>
> (1) In the discharge of its functions under this Act, the Commission shall be guided by such directions on questions of policy relating to national purposes as may be given to it by the Central Government.
>
> (2) If any dispute arises between the Central Government and the Commission as to whether a question is or is not a question of policy relating to national purposes, the decision of the Central Government shall be final.

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HIGH COURT OF JUDICATURE AT BOMBAY

22 Right to confer degrees.

(1) The right of conferring or granting degrees shall be exercised only by a University established or incorporated by or under a Central Act, a Provincial Act or a State Act or an institution deemed to be a University under section 3 or an institution specially empowered by an Act of Parliament to confer or grant degrees.

(2) Save as provided in sub-section (1), no person or authority shall confer, or grant, or hold himself or itself out as entitled to confer or grant, any degree.

(3) For the purposes of this section, degree means any such degree as may, with the previous approval of the Central Government, be specified in this behalf by the Commission by notification in the Official Gazette.

26 Power to make regulations.

(1) The Commission may, by notification in the Official Gazette, make regulations consistent with this Act and the rule made thereunder,

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(a) regulating the meetings of the Commission and the procedure for conducting business thereat;

(b) regulating the manner in which and the purposes for which persons may be associated with the Commission under section 9;

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(d) specifying the institutions or class of institutions which may be recognised by the Commission under clause (f) of section 2;

(e) defining the qualifications that should ordinarily be required of any person to be appointed to the teaching

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HIGH COURT OF JUDICATURE AT BOMBAY

staff of the University having regard to the branch of education in which he is expected to give instruction;

(f) defining the minimum standards of instruction for the grant of any degree by any University;

(g) regulating the maintenance of standards and the co-ordination of work or facilities in Universities.

(h) regulating the establishment of institutions referred to in clause (ccc) of section 12 and other matters relating to such institutions;]

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(2) No regulation shall be made under clause (a) or clause (b) or clause (c) or clause (d) [17] [or clause (h) or clause (i) or clause (j)] of sub-section (1) except with the previous approval of the Central Government.

(3) The power to make regulations conferred by this section [except clause (i) and clause (j) of sub-section (1)] shall include the power to give retrospective effect from a date not earlier than the date of commencement of this Act, to the regulations or any of them but no retrospective effect shall be given to any regulation so as to prejudicially affect the interests of any person to whom such regulation may be applicable.]"

Section 28 deals with the provision of laying of rules and regulations before Parliament.

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HIGH COURT OF JUDICATURE AT BOMBAY

Teachers/Lecturers without NET/SET TEST QUALIFICATION but have been appointed by the Colleges/Institutions, affiliated to the Universities.

15 We are essentially concerned with teachers/lecturers who have not acquired NET/SET though appointed, between 19.09.1991 and 3.4.2000, in their respective affiliated degree colleges in the State of Maharashtra. We are not concerned with the teachers who have acquired NET/SET qualification even after their initial appointments, as they are entitled for all the benefits as announced by the Respondents. The teachers/lecturers who have acquired M.Phil and Ph.D. after their initial appointment are also entitled for the declared benefits.

Important dates and events, referring to the Regulations/Circulars

16 The common undisputed relevant dates and events interalia concerning progressive development of issue of minimum qualification of degree college, teachers/lecturers in Maharashtra, as relied/referred in of the lead Writ Petition No.2082/2013, are as under :

On 13.6.1983, U.G.C. Regulations concerning qualifications. Required qualifications: M. Phil. With Second Class Masters Degree and “Good Academic Record” was

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HIGH COURT OF JUDICATURE AT BOMBAY

	notified.
17.6.1987	Govt. of India Notification for implementation of 4th Pay Commission.
27.2.1989	State Govt. adopts the Central Government Scheme w.e.f. 1.1.1986. Career Advancement Scheme introduced by this for the first time granting senior scale and selection grade to lecturers. M.Phil. as a qualification requirement done away with and the only qualification required for lecturers now was Masters with more than 55% marks. Universities asked to amend the Statutes.
1989	Statutes framed by some of the Universities to adopt the above G.R.
19.9.1991	U.G.C. Qualifications Regulation. In addition to Masters Degree with more than 55% marks prescribes for the first time NET/ SET as eligibility criteria for Degree College Lecturers. It provides that any relaxation can only be given by the University concerned with prior approval of the U.G.C. It further provides that if there is a failure to comply, Grants may be stopped. Under this Regulation even those having Ph.D. or M.Phil. are required to do NET/ SET. This Regulation was prospective i.e. for those lecturers who would be appointed after 19.9.1991
23.10.1992	State Govt.'s Resolution adopting the above U.G.C. Regulation
27.11.1992	State Govt.'s Resolution superseding the October, 1992 Resolution and asking Universities to issue directives in accordance with the U.G.C. Regulation of 1991
10.2.1993	UGC Circular granting exemption from doing NET/

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HIGH COURT OF JUDICATURE AT BOMBAY

	SET to those candidates who have (i) completed Ph.D. (ii) who will submit their Ph.D. thesis by 31.12.1993 and (iii) those candidates who have been awarded M.Phil. by 31.3.1991
6.1993	U.G.C. provides that those candidates who have done M.Phil. upto 31.12.1992 or those who submit Ph.D. thesis upto 31.12.1993 are exempt from doing NET/ SET. UGC also requests Universities to amend statutes.
10.12.1993	State Govt.'s resolution adopting the U.G.C. Circular dated 10.2.1993
2.2.1994	State Govt.'s letter to Universities that those lecturers appointed without NET/ SET can be continued upto 1.3.1994 but not to be continued after that.
28.4.1994	Govt. letter: Those teachers appointed without NET/ SET should be removed by 31.3.1996
8.6.1994	Govt. Resolution: Adopting the UGC Circular exempting those candidates who have done M.Phil upto 31.3.1992 from appearing for NET/ SET
14.7.1994	Govt. G.R. appointing Pune University as Nodal Agency for conducting SET Exam, especially in regional language.
21.6.1995	UGC 1st Amendment to 1991 Regulations. Those candidates who have submitted Ph.D. thesis or passed M.Phil. by 31.12.1993 are exempt from doing NET/ SET.
22.12.1995	State Govt. Resolution: (i) The date of 31.3.1996 for passing NET/ SET removed; (ii) Those who have come into service after

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HIGH COURT OF JUDICATURE AT BOMBAY

	19.9.1991 and have not completed NET/SET and have not passed M.Phil. by 31.12.1993 and have not submitted Ph.D. thesis by 31.12.1993 will be required to do NET/SET; (III) Non NET/ SET teachers to be treated as ad hoc but their services not to be terminated on account of not having NET/ SET. However they will not get annual increment and their services upto they acquire NET/ SET will not be counted for senior scale/ selection grade.
22.5.1998	Govt. Resolution allowing annual increments to those candidates who have not passed NET/ SET
27.7.1998	Central Govt.'s letter to all States concerning revision of pay scales for all Central Universities and Colleges. The letter states that 80% of additional expenditure for the period 1.1.1996 to 31.3.2000 will be provided by the Central Govt. The Central Govt. would pay provided entire scheme is adopted as a whole. Universities were asked to have required changes to their Statutes.
24.12.1998	UGC issues Notification on revision of Pay Scales and minimum qualifications for Universities and Colleges. NET/SET made mandatory. Relaxation can be given by Universities after prior approval of the UGC. Universities asked to amend Statutes. If conditions not fulfilled, grant may be withheld.
11.12.1999	Govt. Resolution adopting 5th Pay Commission from 1.1.1996 on the basis of the UGC Notification dated 24.12.1998. For the first time NET/ SET accepted as the required eligibility criteria Career Advancement continued with some modifications.

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HIGH COURT OF JUDICATURE AT BOMBAY

2000	Universities amend their statutes to implement the above scheme. For the first time NET/ SET is brought in as eligibility condition.
4.4.2000	UGC supersedes 1991 Regulation and 1998 Notification and brings in new Minimum Qualifications Regulations. It is now mentioned that relaxation can only be made by UGC in a particular subject where NET/ SET is not being conducted or enough candidates are not available and such relaxation would only be for a specified period. Universities were directed to amend their Statutes. The Notification further provides that the Regulations concerning qualifications will not be applicable for those candidates who had the earlier requisite qualifications and who have been selected by the duly constituted selection committees prior to the enforcement of these Regulations. The consequence of non implementation could be that grants be stopped. Required qualifications are M.Phil with NET/ SET but those candidates who have M.Phil. prior to 31.12.1993 or have submitted Ph. D. thesis prior to 31.12.1993 are exempt.
13.6.2000	State Govt. G.R. adopting the above Regulations. The G.R. further provided that after 4.4.2000 no candidate be appointed without NET/ SET and if appointed grants wont be paid.
3.8.2001	Statement of Minister of Education in the Assembly stating that since the Government and the Universities had not adopted the 1991 UGC Regulations through proper legal instruments number of lecturers/teachers were appointed till 11.12.1999 without NET/ SET.
18.10.2001	Govt. Resolution. It records that between 19.9.1991

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HIGH COURT OF JUDICATURE AT BOMBAY

	and 11.12.1999 6000 non NET/ SET lecturers/teachers appointed. The Govt. decided that these candidates will not be removed. But they will have to clear NET/ SET by December, 2003. If they don't complete by December, 2003 they will not be removed till retirement but they will only get increments only and no senior scale, selection grade, etc. From the date on which they complete NET/ SET will held eligible for senior scale, etc. Those teachers/lecturers appointed after 11.12.1999 without NET/ SET should be removed before their probationary period comes to an end. The G.R. further states that since the above NET/ SET qualifications have been brought in from 4.4.2000, after that date i.e. after 4.4.2000 no non NET/ SET candidates be appointed.
31.7.2002	U.G.C.'s 1st Amendment to 2000 qualifications Regulations. Exemption for those who have obtained M.Phil till 31.12.1993 to continue. But exemption to those who had submitted Ph.D. thesis by 31.12.1993 replaced now with exemption only to those who have submitted Ph. D. thesis by 31.12.1992. Besides it is mentioned that if these candidates fail to obtain Ph.D. they will be required to do NET/ SET.
December,2002 (onwards)	Universities write to UGC stating that NET/ SET was made compulsory only after the University Statutes were amended (i.e. after December, 1999) and thus those appointed prior to that date should be treated as regularly appointed.
26.7.2004	Govt. of Assam adopts NET/ SET qualification only from 24.12.1998.
9.12.2004	UGC letter to Universities. When NET exemption is

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HIGH COURT OF JUDICATURE AT BOMBAY

granted the same should be on the footing that the concerned teacher should acquire NET/ SET within 2 years of date of exemption.

14.6.2006 — U.G.C. carries out 2nd Amendment to 2000 Regulation and prescribes that candidates not having NET/ SET but having M.Phil. or Ph.D. will also be qualified as being appointed as degree college lecturers.

1.6.2009 — U.G.C. Regulations for award of M.Phil. and Ph.D. Degrees requiring passing of an entrance test to do M. Phil. Or Ph.D.

30.6.2009 — U.G.C. carries out 3rd Amendment to 2000 Regulations and prescribes that NET/ SET will be compulsorily required for recruitment of lecturers and the earlier exception of M. Phil. was being done away with. Those candidates not having NET/ SET but having Ph.D. in accordance with the 2009 regulations of U.G.C. will however be treated as qualified.

This was litigated extensively and the Bombay High Court has passed number of judgments stating that those teachers appointed before 1.7.2009 with M. Phil and without NET/ SET will be treated as qualified.

Supreme Court has passed a Judgment which deals with teachers appointed after 30.6.2009 with M.Phil. and held that such teachers (even if they obtained M.Phil. prior to 30.6.2009) will not be held eligible if they do not have NET/ SET.

12.8.2009 — State Government adopts the 6th Pay Commission Scales and Career Advancement Scheme w.e.f. 1.1.2006. Qualifications required: Masters with 55% and NET/ SET. Designations changed to Asst. Professor, Associate Professor and Professor.

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HIGH COURT OF JUDICATURE AT BOMBAY

26.8.2009	Agreement between State and MFUCTO (Petitioner). (i) Revised Scales will also be applicable to non NET/ SET teachers approved by the University. They will be put in the lowest Scale. (ii) Decision of UGC concerning exemption from NET/ SET will be final.
19.11.2009	G.R. issued incorporating the above condition.
15.12.2009	UGC replies to RTI query enclosing detailed correspondence with State concerning exemption from NET/ SET
30.6.2010	UGC Regulations for Minimum Qualifications and Revised Pay Scales as per 6th Pay. Masters with 55% and NET/ SET. Career Advancement.
2011	Universities adopt the above Regulations of UGC.
10.6.2011	MFUCTO's (Petitioner's) delegation to UGC asking that the entire service of Non NET/ SET teachers from 1991 to 4.4.2000 be counted for career advancement
8.7.2011	UGC's Meeting. Those Non NET/ SET teachers appointed between 19.9.1991 and 3.4.2000 and whose applications are sent by Universities to UGC be approved on regular basis.
12.8.2011	MFUCTO to U.G.C. asking clarification regarding from which date the placement be done for those appointed without NET SET between 19.9.1991 and 3.4.2000 Explanatory Note addressed by MFUCTO
16.8.2011	UGC's letter to State Government communicating the decision dated 8.7.2011

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HIGH COURT OF JUDICATURE AT BOMBAY

26.8.2011	UGC's letter to MFUCTO (Petitioner) clarifying that services for all purposes should be counted from the time they were regularly appointed.
15.3.2012	UGC's letter to the Petitioner stating that the actual date of effect for grant of exemption to a particular candidate shall be the date of exemption actually granted by the Universities to the concerned candidate appointed on "regular basis".
2.5.2012	Meeting between Petitioner and the State officials took place. State agrees that the service rendered by the non NET/ SET teachers between 19.9.1991 and 3.4.2000 from the date of their appointment should be taken into consideration for all purposes.
13.6.2013	UGC minimum qualifications 2nd Amendment concerning Selection Process.
27.6.2013	Impugned G.R. of the State Government. Those appointed between 19.9.1991 and 23.10.1992 at no stage acquired NET/ SET. Services regularised of non NET/ SET candidates for 24.10.1992 to 3.4.2000 on following conditions: (a) Lecturers/Teachers should have been appointed on regular basis; (b) Appointed as per prescribed procedure; University should have approved their appointments (c) University should have submitted their proposals for its approval. Their services for all purposes will be counted from the date of the Government decision i.e. from 27.6.2013.

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HIGH COURT OF JUDICATURE AT BOMBAY

They will be covered by the 2005 Pension Scheme.

Common judgments cited by the parties

17 The learned counsel appearing for the parties have read and referred the various judgments including the following judgments:

1 State of Maharashtra & ors. v. Asha Bidkar and ors.[1]

2 Beena Inamdar v. University of Pune & ors.[2]

3 University of Delhi v. Raj Singh & ors.[3]

4 Suresh Patilkhede v. Chancellor, University of Maharashtra and ors.[4]

5 T. P. George and ors v. State of Kerala & ors[5]

6 Baburao Yadavrao Nareddiwar v. State of Maharashtra[6]

7 Jagdish Prasad Sharma & ors v. State of Bihar & ors[7]

8 Kalyani Mathivanan v. K. V. Jeyaraj & ors.[8]

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1 Order dt.25.03.2015 in Civil Appeal No. 10759 of 2013 by Supreme Court
2 2012 (1) All MR 787
3 (1994) Supp (3) SCC 516
4 2012 (6) ALL MR 326
5 (1992) Supp. (3) SCC 191
6 (2002) 3 Mh. L. J. 515
7 (2013) 8 SCC 633
8 (2015) 6 SCC 363

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HIGH COURT OF JUDICATURE AT BOMBAY

9 P. Suseela & ors v. University Grants Commission & ors.[9]

10 Khandesh College Education Society v. Arjun Hari Narkhede[10]

11 Dr. Mahesh Kulthe v. Union of India [11]

12 Some judgments are referred in other paragraphs of this judgment.

Relevant UGC Regulations and the State Circulars = positive representation about the mandate of the NET/SET qualification

18 The following UGC Regulations are also read and referred. The details and purpose of those Regulations are as under - The detailed chart of some of them are part of record.

9 2015(8) SCC 129 - Supreme Court Judgment dated 16.03.2015 in SLP (Civil) Nos.36023-36032 of 2010
10 (2011) 7 SCC 172
11 Judgment dated 17.10.2013 in WP/10149/2010 (Aurangabad Bench)

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HIGH COURT OF JUDICATURE AT BOMBAY

Date	UGC Regulation relating to qualification of Teacher.	Qualification for Lecturer
13.6.1983	UGC (Qualifications required of a person to be appointed to a teaching staff of a University or other Institution affiliated to it) Regulation, 1982 Reg. 2 – Qualification as per Schedule I to X.	M.Phil or degree beyond Master's Level + Master Degree (minimum 2nd Class) Or Master Degree (with higher 2nd Class) + First Degree (with 2nd Class) Or Master Degree (with 2nd class) + First Degree (with 1st Class)
19.9.1991	UGC (Qualifications required of a person to be appointed to the teaching staff of the University & Institutions affiliated to it) Regulation, 1991	Reg. 2 – Qualifications provided as per Schedule I First Proviso – Relaxation in prescribed qualification can only be made by University, with the prior approval of UGC. Second Proviso – These regulations shall not apply, where selection through duly constituted Selection Committee have been made prior to these regulations. Schedule I – Clause (3)A Good academic record + Master Degree (minimum 55% marks or equivalent grade in relevant subject) + NET/SLET.
21.6.1995	UGC (Qualifications required of a person to be appointed to the teaching staff of a University & Institutions affiliated to it) (First Amendment) Regulation, 1995	Proviso – Exemption from NET/SLET to candidates – who submitted Ph.D. thesis or who passed M.Phil exam prior to 31.12.1993.
4.4.2000	UGC (Minimum qualifications required for the appointment and Career Advancement of Teachers in Universities & Institutions affiliated to it) Regulation, 2000. Reg. 2 – Qualification provided as per Annexure – 1.3.3 Lecturer. First Proviso – Any relaxation in prescribed	Good academic record + Master Degree (minimum 55% marks or equivalent grade of B in the 7 point scale with later grades O, A, B, C, D, E, F in relevant subject) + NET/SLET. Note – NET shall remain compulsory requirement even for candidates with Ph.D. degree. But candidates who submitted Ph.D. thesis or who passing M.Phil exam prior to 31.12.1993, are exempted from NET.

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HIGH COURT OF JUDICATURE AT BOMBAY

	qualification can only be made by UGC a) in a particular subject in which NET is not being conducted or b) enough number of candidates are not available with NET for specified period only. This relaxation would be given based on sound justification and would apply to Universities for that particular subject for specified period. No individual applications would be entertained. Second Proviso – This regulations shall not be applicable where candidates were selected (having the then requisite minimum qualification) through duly constituted Selection Committee prior to enforcement of these regulations.	
31.7.2002	UGC (Minimum qualifications required for the appointment and Career Advancement of Teachers in Universities & Institutions affiliated to it) (First Amendment) Regulation, 2002.	Note substituted as under :- NET shall remain compulsory requirement even for candidates with Ph.D. degree. But candidates who passing M.Phil exam prior to 31.12.1993 or who submitted Ph.D. thesis prior to 31.12.2002, are exempted from NET.
14.6.2006	UGC (Minimum qualifications required for the appointment and Career Advancement of Teachers in Universities & Institutions affiliated to it) (Second Amendment) Regulation, 2006.	Note substituted as under :- NET shall remain compulsory requirement even for candidates with Ph.D. degree. But candidates who have completed Ph.D. degree are exempted from NET for teaching at PG Level & UG Level. Candidates who completed M.Phil degree are exempted from NET for teaching at UG level.
11.7.2009	UGC (Minimum qualifications required	Note substituted as under :- NET/SLET shall remain minimum eligibility condition

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HIGH COURT OF JUDICATURE AT BOMBAY

	for the appointment and Career Advancement of Teachers in Universities & Institutions affiliated to it) (Third Amendment) Regulation, 2009.	for recruitment and appointment of lecturers. But, candidates who completed Ph.D. degree [in compliance with UGC (Minimum Standards & Procedure for Award of Ph.D. Degree) Regulation, 2009] are exempted from NET/SLET.
24.12.1998 5th Pay Scale w.e.f. 1.1.1996 Not in Government Gazette	UGC notification on revision of pay scales, minimum qualifications for appointment of teachers in Universities & Colleges and other measures for maintenance of standards, 1998.	Letter 3.1 – Persons to be appointed to a teaching post only if he fulfills minimum qualifications and other service conditions as indicated in the notification. 3.2 – Relaxation in prescribed qualification only by University, with prior approval of UGC. Notification 3.1.0 – Direct recruitment – on the basis of merit through all India advertisement and selection by duly constituted Selection Committee of concerned University and composition of Selection Committee as prescribed by UGC Regulation. 3.2.0 – minimum qualifications will be those as prescribed by UGC from time to time. 3.3.0 – minimum requirement :- good academic record + Master's degree (55%) + NET. University can exempt Ph.D. holder from NET – Minimum requirement of 55% should not be insisted upon for existing incumbents who are already in university system. But, 55% marks should be insisted upon for those entering the system from outside and those as entry point of lecturer. 4.4.1 - Good academic record + Master Degree (minimum 55% marks or equivalent grade of B in the 7 point scale with later grades O, A, B, C, D, E, F in relevant subject) + NET/SLET.
30.6.2010 In Government Gazette dated 18.9.2010	UGC (minimum qualifications for appointment of teachers & other academic staff in Universities & Colleges and other measures for maintenance of standards in Higher Education) Regulation, 2010.	Regulation 1.3 First Proviso – Any candidate becomes eligible for promotion under CAS (Career Advancement Scheme) in terms of these regulations after 31.12.2008, the promotion of such candidate shall be governed by the provisions of these regulations. Second Proviso – In the event, any candidate became eligible for promotion under CAS prior to 31.12.2008, the promotion of such candidate under CAS shall be governed by UGC (minimum qualifications required for appointment and Career Advancement of Teachers in Universities & Institutions affiliated to it) Regulations, 2000. Regulation 2 – Minimum qualification as provided in Annexure. Annexure 3.0.0 – Recruitment & qualifications

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HIGH COURT OF JUDICATURE AT BOMBAY

		3.1.0 – Direct recruitment – on the basis of merit through all India advertisement and selection by duly constituted Selection Committee of concerned University and composition of Selection Committee as prescribed by UGC Regulation. 3.2.0 – Minimum qualification will be those as prescribed by UGC regulations. 3.3.0 – minimum requirement :- good academic record + Master's degree (55% or equivalent grade in a point scale) + NET/SLET. 3.3.1 – NET/SLET/NET shall remain minimum eligibility recruitment condition for appointment of Assistant Professors. But, candidates who completed Ph.D. degree [in compliance with UGC (Minimum Standards & Procedure for Award of Ph.D. Degree) Regulation, 2009] are exempted from NET/SLET.
Feb.2011 Gazetted on 9.4.2011	UGC Regulations on minimum qualifications for appointment of teachers & other academic staff in Universities & Colleges and measures for maintenance of standards in Higher Education (First Amendment) Regulation, 2011.	Not relevant regarding qualification.
13.6.2013 Gazetted on 13.6.2013	UGC (Minimum qualification for appointment of teachers & other academic staff in Universities & Colleges and measures for the maintenance of standards in Higher Education) (Second Amendment) Regulation, 2013.	Not relevant regarding qualification.

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HIGH COURT OF JUDICATURE AT BOMBAY

Teachers/Lecturers are aware of requirement of NET/SET qualification

19 After going through the affidavit filed by the Respondents including their written submissions, it is clear that the State had directed all the Universities to apply the UGC Regulations 1991, by State Government Resolution dated 23.10.1992. It was made known to all, even by the Universities, at the relevant time, that "Qualifications for appointment to the teaching Posts - 1. No person shall be appointed to teaching posts in the University or in any College affiliated to the University or Institution recounted by the University, if he/she does not fulfill required qualifications for appropriate subject, as prescribed by University Grants Commission/University from time to time.".

20 All other similar directions and communications were issued from time to time by the State, based upon the UGC's Regulations. There is no denial to these Circulars and/or any challenge raised at an appropriate time by the concerned parties. The State in the year 1994 itself by the Resolution had announced that the services of teachers/lecturers who do not acquire qualification of

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HIGH COURT OF JUDICATURE AT BOMBAY

NET/SET till 31.03.1996, should be considered as ad-hoc teachers, but they would not be terminated from the services with further rider that they would not be given the annual increments. It was specifically provided that their services would be considered for the purpose of CAS from the date on which they would clear the NET/SET. It was also made clear that those lecturers who had passed the NET/SET earlier would be considered as senior to others. There is nothing on record to show that the Respondents have made any representation and/or communicated to such teachers who have not acquired NET/SET that they would be treated equally with the lecturers/teachers who have acquired the NET/SET. The State positive representations, as recorded above, on the contrary, were otherwise. It is relevant to note that State Resolution dated 18.10.2001 was challenged by the lecturers who were appointed between the period 12.12.1999 to 3.4.2000 – 4.4.2000 to 12.6.2000 – 13.06.2000 to 13.10.2000. By a judgment of this Court in V*ishwaprakash Laxman Sirsath v. State of Maharashtra*,[12] it is observed that candidates who failed to obtain NET/SET qualification be continued to be unqualified and can be continued till December

12 2003 (2) Mh. L. J. 176

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HIGH COURT OF JUDICATURE AT BOMBAY

2003 and, therefore, clause 2(b) of Government Resolution dated 18.10.2001 was set aside. In the affidavit, the State has made the position very clear that the lecturers who do not clear the NET/SET would continue till their retirement with only increments without any other monetary benefits.

21 A clarification issued by UGC dated 9.12.2004 had further provided that in case the relaxation/exemptions in question for the posts were granted in view of the special circumstances, the candidates would be required to clear NET/SET within a period of two years from the date of exemptions by the UGC. We have noted even the UGC's Resolution based upon the meetings held on 3rd and 4th September 2008, though, for recommending the cases for exemption, the time was further granted of four years to pass the said examination for acquiring the additional qualification. The UGC, by communication dated 12.11.2008, was directed by the Government of India not to grant such exemptions in future and notified the Regulation of 2009, accordingly. Therefore, we have considered in totality the purpose, object and the time to time representations/directives issued by the Respondents and specifically

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HIGH COURT OF JUDICATURE AT BOMBAY

the mandate of acquiring the NET/SET qualification in view of National Education Policy, apart from the additional benefits as announced by the State of Maharashtra. It is, therefore, clear that the Respondents, all the time have been intimating and informing to the concerned parties including to the ad-hoc and/or contract and/or temporary appointed lecturers/teachers, to grab the opportunity and acquire the eligibility qualification.

22 The UGC's decision of 8.7.2011, of granting exemption/relaxation in the background, therefore, itself is not sufficient to grant the claim so raised by the Petitioners in view of the peculiarity of the circumstances so reproduced. Even the communication of UGC to the State is, in no way, sufficient to compel the State to grant CAS benefits and/or related benefits other than so announced. We are inclined to observe at this stage itself that in view of the reasons given in these judgments, the relaxation/exemption, even if granted by UGC, cannot be made applicable retrospectively and the relaxation, even if any, would be only to regularise the services subject to the restricted benefits so announced by the State Government from time to time.

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HIGH COURT OF JUDICATURE AT BOMBAY

Teachers/Lecturers were aware of requirement of NET/SET

23 There is no material/data placed on record by such Petitioners and/or respective parties, to show that they were not aware of the basic requirement of qualification of NET/SET. Merely because the Petitioners were appointed in vacant posts, after due approval, in the circumstances so referred above, for want of non-availability of NET/SET candidates during the above period, in no way, can be stated to be the reason to overlook the mandate of the NET/SET qualification, so insisted, through out even during the period in question.

24 We are concerned not only with the appointments so made at the relevant time, but also concerned with its continuity or protection of such long services, and the benefits of the CAS which the Petitioners who have not acquired NET/SET qualification are claiming from the date of initial appointments and/or from the date of relaxation. No case is made out to grant such benefits by overlooking the facts and circumstances including about so many

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HIGH COURT OF JUDICATURE AT BOMBAY

candidates who have after initial appointment, acquired the NET/SET qualification even during this period. If there was no such requirement and/or insistence, there was no question of these candidates to acquire and or to proceed to acquire the qualification. Non-acquisition of NET/SET for whatever may be the reason, inspite of the mandate of qualification so declared by the UGC from time to time, disentitle them to claim such similar benefits, by treating themselves equally with the persons/candidates who have acquired the qualification of NET/SET. These are clearly two distinct, distinguishable and unequal classes, cannot be treated equally or on same level. These different classes with and/or without NET/SET need to be treated differently, including for the grant of benefits of CAS and other related aspects. The persons who have acquired NET/SET qualification are entitled for all the benefits as declared by the respective Respondents from the date of acquisition of qualifications.

UGC Regulations are binding to all.

25 We are not accepting the submission that 1991 Regulations as issued under Section 26(1)(e) and, therefore, are not governed by

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HIGH COURT OF JUDICATURE AT BOMBAY

Section 20 of UGC Act. It is difficult to dissect Section 20 and read in isolation Section 26(1)(e) and/or (g). We have to consider the total scheme of the UGC Act and the intention behind the same of insisting upon the requisite clarification and/or test. Many times Universities used to appoint teachers/lecturers without NET/SET qualification and had made representation for post facto approval to the UGC. The clauses so read about the Regulations clearly provide for "prior approval" from UGC which admittedly was not obtained before appointment. In our view, the Petitioners wrongly relied upon *University of Delhi (supra)* for their submission that proviso of clause (2) of the Regulations of 19.09.1991 are directory in nature. The power to appoint by the Institutions/Colleges/University to select its teachers is not restricted. The requirement of such teachers to have the qualification, and as in fact many teachers/lecturers have acquired such qualification, that itself is sufficient to reject the contention of the Petitioners to treat the condition and/or requirements of the Regulations being recommendatory. The UGC Regulations dated 4.4.2000 cannot be used and utilised by the Petitioners to say that NET/SET qualification requirement held to be mandatory, subsequently.

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HIGH COURT OF JUDICATURE AT BOMBAY

Teacher with & without NET/SET/TEST/QUALIFICATION and their stated equal rights?

26 We are also concerned with the categories of the teachers who were granted individual and/or common relaxation by the UGC. The teachers who acquired the required qualification are getting their CAS and other benefits from the date of acquisition of this qualification. The teachers who have not acquired the qualification are also claiming the similar benefits from the date of their initial appointments. The teachers from private aided colleges and/or from Government colleges and/or from unaided colleges are also involved in the matter.

27 Various schemes, regulations, framed by UGC from time to time are read and referred by the counsel. The counsel have read and referred the provisions of respective University Acts. There is no serious dispute with regard to these provisions of the respective Universities so referred, including their power to permit to appoint teacher/staff as and when necessary, but by following the due procedure of law and taking note of declared and prescribed

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HIGH COURT OF JUDICATURE AT BOMBAY

qualification for different classes of teachers including additional qualifications so prescribed by the UGC.

28 The respective Universities have also filed their affidavits basically supporting the Petitioners' cases who have not completed the NET/SET qualification or who have not acquired the NET/SET qualification. The Universities in their affidavits submitted that they have permitted to appoint these teachers by following the due procedure of law, but in view of exigency and urgency for want of teacher at the relevant time, without NET/SET qualification, as no much qualified candidates were available, during the period between 19.09.1991 to 3.4.2000. Admittedly, the Universities, based upon the Rules, Regulations and Scheme so announced including by the State through the various Associations had made the representations to the UGC to grant the relaxation. The parties have read and referred those representations. We have noted that the applications/representations for relaxation were forwarded by the Universities on behalf of such persons who have not acquired NET/SET qualification but are appointed at the respective posts. Those relaxation applications were considered and decided by the

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HIGH COURT OF JUDICATURE AT BOMBAY

UGC from time to time on the respective applications and granted relaxation from the date so specified. Such Petitioners are also, though not acquired NET/SET qualification claiming all the CAS benefits from the date of their respective appointments or at least from the date of relaxation, along with the teachers/persons who have acquired the NET/SET.

29 The State has filed affidavit dated 1 October 2015, opposing such Petitioner's claim in every aspect. However, considering the facts and circumstances at the relevant time, basically between the period from 19.9.1991 and 3.4.2000, as there were no fully eligible candidates available and there was urgent requirement of teachers to be appointed for the respective vacant posts, so that the students education should continue, the State had been insisting for many years, and extended the period, so as to enable such teachers to acquire qualification of NET/SET. The teachers appointed between this period, have been extended the limited benefits by the State Circulars, in the interest of justice and considering the long continuity in service. [The said State action, therefore, is also challenged by the persons who have acquired the NET/SET qualification already.] We

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HIGH COURT OF JUDICATURE AT BOMBAY

find nothing wrong with the Circular as it is in the interest of all the concerned in above background and as it is within the power and jurisdiction of the State when it comes to regularisation of service of such teachers, including grant of continuity with the limited monetary benefits, except CAS and related aspects.

Teachers duly appointed, but without NET/SET qualification - regularisation

30 The appointments were made by the duly constituted Selection Committee as per the respective University Statutes including Act, Ordinance, Statutes etc. (The University Statutes). The appointments were against the clear vacant posts and taking note of constitutional reservation at the time of appointments as at the relevant time, NET/SET qualified candidates were not available sufficiently. It is stated that in some cases, in the advertisement, there was no reference of NET/SET qualification. All these Petitioners have been continuing in service without any break and receiving the pay scale and annual increments regularly. They have been claiming permanency after completion of probation. The State ultimately has granted the same by impugned Circular/Resolution dated 27 June

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HIGH COURT OF JUDICATURE AT BOMBAY

2013.

NET/SET qualification compulsory ?

31 We are not inclined to accept the contention that there was no provision either in the Statute and/or the Act making NET/SET qualification compulsory. The fact that more than two lac persons/teachers/professions/candidates have already acquired NET/SET even some of them during the period 19.09.1991 to 3.4.2000, itself sufficient to deny the contention of such Petitioners. The sending of proposal for exemption/relaxation for the post from NET/SET qualification by the Universities/Colleges, after going through the respective proposals, in most of the matters, show that it was referring to the initial appointments so made at the relevant time for want of qualified NET/SET candidates. The Regulations so referred above, including of the year 1991, itself provide that the prior approval for the relaxation would be obtained by the Universities/Colleges before appointment. It was also with intention for providing them time for acquiring NET/SET qualification. After reading the Regulations and the State Circular so recorded above and after hearing both the parties, we find no substance in the Petitioner's submission that this relaxation for the post to the Universities so

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HIGH COURT OF JUDICATURE AT BOMBAY

granted was for all the purposes as claimed, even for the CAS from the date of initial appointments and/or from the date of exemption granted by the Universities.

Post-Proposal by the Universities for "relaxation" or "exemption"

32 The proposal submitted on behalf of the Petitioners for relaxation for the respective post of Universities itself contemplates the existence of binding condition of acquiring NET/SET qualification as announced and mandated by the UGC from time to time.

33 The Supreme Court in University of Delhi (supra) dealt with the UGC Regulations notified on 19.09.1991 for appointment of teaching staff of University and Institutions affiliated to it, whereby it was necessary to appoint/select lecturers in accordance with the said Regulations. However, referring to first proviso to clause 2 of the Regulations, it is observed that the clause permits relaxation in the prescribed qualification by a University, with the prior approval of the UGC. This Regulation is made under the provisions of Section 26(1)(e) which defines the qualification that are "ordinarily" and not

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HIGH COURT OF JUDICATURE AT BOMBAY

"invariably" required of a lecturer. These provisions cannot be read in isolation. The consequences of failure of University to comply with the recommendations made, are also dealt with by referring to Section 14 of the UGC Act. It is also noted that the selection process so followed before selecting the lecturers by written tests and interviews or either the University's autonomy, was not entrenched upon by the Regulation. The power of UGC of relaxing the requirement of clearing the NET/SET, therefore, has been recognized by the Supreme Court in University of Delhi (supra). The Supreme Court has ultimately concluded as under:

> "24 …..... As analysed above, therefore, the Delhi University may appoint as a lecturer in itself and its affiliated colleges one who has cleared the test prescribed by the said Regulations; or it may seek prior approval for the relaxation of this requirement in a specific case; or it may appoint as lecturer one who does not meet this requirement without having first obtained the UGC's approval, in which event it would, if it failed to show cause for its failure to abide by the said Regulations to the satisfaction of the UGC, forfeit its grant from the UGC. If, however, it did show cause to the satisfaction of the UGC, it not only would not forfeit its grant but the appointment made without obtaining the UGC's prior approval would stand regularised."

34 In present matters also, we are inclined to observe that the provision was specifically made of relaxation. The UGC, at relevant

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HIGH COURT OF JUDICATURE AT BOMBAY

time, was empowered to grant relaxation after considering the various factors and subject to their satisfaction, as appointments were required to be made by the University/colleges of such lecturers, without required qualification, but it was subject to prior approval. Once the approval is granted, the appointments made even without obtaining the UGC's prior approval, would stand regularised but for limited purpose.

Only "regularisation" or "continuity of service to Non-NET/SET and related State pay scale and increments

35 We have also noted that the proposals submitted by Universities/Petitioners though scrutinized by the expert committee of UGC and thereafter placed before the Exemption Committee and vide order dated 23 March 2010, communicated its decision granting the exemption to some Petitioners from passing the NET/SET qualification is required to be read and to mean for the basic appointments so made at the relevant time during this period, and not for benefits of CAS from the date of initial appointments so claimed and/or from the date of exemption granted by the UGC. The relaxation so granted after so many years, after repeated representations made by the concerned

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HIGH COURT OF JUDICATURE AT BOMBAY

parties, in no way, read to mean that such non-NET/SET persons be treated equally with the candidates who posses the NET/SET qualification.

36 The regularisation of service from the date of initial appointment, in our view, also cannot be disturbed as they have admittedly have been working during the situation where NET/SET candidates were not available. The State is required to strike the balance in the interest of all the concerned, being the paying authority of salary and all other related benefits to such lecturers/teachers. This is also in view of the State's obligations to provide and facilitate all kinds of education to all the concerned. The State's extension to grant them annual increments and benefits of Fifth and Sixth Pay Commission, in the background and the future related benefits, if occasion comes - we are not inclined to disturb the same. There is no question of granting benefit of seniority from the date of their initial appointments and/or from the date of their relaxation or confirmation, as prayed. The protection of service of Petitioners by these exemptions/relaxations cannot be equated with the persons who got other benefits including CAS as they have passed the NET/SET

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HIGH COURT OF JUDICATURE AT BOMBAY

examination. The persons appointed with due qualification need to be respected in every aspect. The reliance so placed on *Direct Recruit Class II Engineering Officers' Association v. State of Maharashtra and ors*,[13] is also of no assistance as the basic requisite NET/SET qualification throughout was the essential condition of such service, which admittedly was not acquired by such Petitioners. There is no legal right/entitlement so claimed by the Petitioners for want of qualification itself.

Role of UGC to grant approval to exemption or relaxation

37 It is relevant to note that all the parties including the teachers/candidates at the relevant time, during these periods, were fully aware of the State Government Resolutions dated 12.12.1995, 12.05.1998, 26.08.1999, 18.10.2001, whereby protective reliefs and the monetary benefits have been extended to non-NET/SET teachers. The condition of acquisition of NET/SET was never specifically waived by the State for the reliefs so claimed in the Petitions. Every such teachers have accepted the benefits. There is no issue that

13(1990) 2 SCC 715

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HIGH COURT OF JUDICATURE AT BOMBAY

non-NET/SET teachers, inspite of no requisite qualification of NET/SET have been getting pay Commission's scale, HRA, Leave Travel Allowance, DA, TA and all other related benefits, including increments and pension and gratuity.

38 Communication dated 26.08.2011 between the State and the Petitioner after the Meeting held with th Chief Minister on 2.5.2012 would not prevail over the position of law and the Circulars/Resolutions/Regulations, so issued from time to time. The role of UGC is therefore restricted by declaring required qualification for the requisite posts. This power, in no way, can be extended to compel the State to pay the salary and/or requisite benefits. The State's power, therefore, to grant the salary and related benefits based upon their constitutional obligation and the need of the time, including their power to grant the benefits to the NET/SET acquired candidates and/or deny the benefits who have not acquired such qualification in no way can be stated to be unjust or contrary to any provisions. Such power is not arbitrary and/or discriminatory.

State Adoption of Regulations

39 The submission, based upon the case of *Kalyani (supra)*

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HIGH COURT OF JUDICATURE AT BOMBAY

referring to paragraphs 56 to 62 that the UGC's Regulations are not applicable unless they are adopted, in the facts and circumstances, are liable to be rejected as the Petitioners/Respondents have been acting upon the same since long and proceeded accordingly since so many years. Therefore, the submission that UGC Regulations do not become automatically binding on the State Government or the Universities is also incorrect. The mandate of requisite qualification and insistence for the appointments based upon the same itself shows that such qualification so announced from time to time and as insisted upon has a binding force for all the concerned.

40 Both the parties have read and relied also upon *Kalyani (supra)*, wherein the Apex Court has dealt with the provisions of Articles 246, 254 of Constitution of India, Schedule VII List I, Entry 66 and List III Entry 25, read with the provisions of UGC Act and the UGC Regulations 2010 and University framed Statues, Ordinances, Rules, Regulations and Norms and held as under :

> "27 From the aforesaid provisions, we find that the University Grants Commission has been established for the determination of standard of Universities, promotion and co-ordination of University education, for the determination and maintenance of standards of teaching, examination and research in Universities, for

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HIGH COURT OF JUDICATURE AT BOMBAY

defining the qualifications regarding the teaching staff of the University, maintenance of standards etc. For the purpose of performing its functions under the UGC Act (see Section 12) like defining the qualifications and standard that should ordinarily be required of any person to be appointed in the Universities [see Section 26(1)(e)(g)] UGC is empowered to frame regulations. It is only when both the Houses of the Parliament approve the regulation, the same can be given effect. Thus, we hold that the U.G.C. Regulations though a subordinate legislation has binding effect on the Universities to which it applies; and consequence of failure of the University to comply with the recommendations of the Commission, the UGC may withhold the grants to the university made out of the Fund of the Commission. (See Section 14)

62 In view of the discussion as made above, we hold:

62.1 To the extent the State Legislation is in conflict with Central Legislation including sub-ordinate legislation made by the Central Legislation under Entry 25 of the Concurrent List shall be repugnant to the Central Legislation and would be inoperative.

62.2 The UGC Regulations being passed by both the Houses of Parliament, though a sub-ordinate legislation has binding effect on the Universities to which it applies.

62.3 UGC Regulations, 2010 are mandatory to teachers and other academic staff in all the Central Universities and Colleges thereunder and the Institutions deemed to be Universities whose maintenance expenditure is met by the UGC.

62.4 UGC Regulations, 2010 is directory for the Universities, Colleges and other higher educational institutions under the purview of the State Legislation

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HIGH COURT OF JUDICATURE AT BOMBAY

> as the matter has been left to the State Government to adopt and implement the Scheme. Thus, UGC Regulations, 2010 is partly mandatory and is partly directory.
>
> 62.5 UGC Regulations, 2010 having not adopted by the State Tamil Nadu, the question of conflict between State Legislation and Statutes framed under Central Legislation does not arise. Once it is adopted by the State Government, the State Legislation to be amended appropriately. In such case also there shall be no conflict between the State Legislation and the Central Legislation."

This decision of 11.03.2015 based upon the events and law of the year 2011-2012. We are not concerned with the appointments made after 3/4/2000. This judgment is also after all the earlier High Court judgments referred and cited by the parties.

41 In these present matters, the State by the impugned Circular, itself has endorsed the adoption of Regulations in 1992 and therefore, granted benefits accordingly, subject to conditions so mentioned. All the parties have been acting upon the same since 1991/1992 to 2000, now cannot be permitted to challenge the same. The submission of non-NET/SET Petitioners are self contradictory. They have been enjoying all the State benefits so declared from time to time, now claiming equality with the candidates who have

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HIGH COURT OF JUDICATURE AT BOMBAY

possessed the NET/SET qualification. They are bound by those Policies and the conditions.

42 The submission of the learned counsel appearing for the Petitioners who have not acquired the NET/SET qualification that the UGC Regulations dated 19.9.1991 are binding only if adopted by the State and/or Universities and/or not automatically binding is incorrect and unacceptable. There is no justification coming on record and/or placed on record why others have completed and acquired NET/SET qualification even during this period. The adoption arguments by the State is after thought and is contrary to the record and the conduct of the Petitioners.

43 We have also noted that there is no specific provision under the UGC Act and/or in the Maharashtra Universities Act which requires that UGC Regulations are required to be adopted by the State Government and/or by University. Neither it is supported by any judgments. In some cases, Pune University, on 28.08.1986 have adopted the UGC Regulations and so also by the State Government Resolution dated 27.02.1989.

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HIGH COURT OF JUDICATURE AT BOMBAY

44 Reliance is also placed in *T. P. George v. State of Kerala (supra)* to support their contentions that UGC Regulations do not bind automatically, unless it is specifically adopted by a Statute/University. The adoption of Universities in 2000, even if any, would not affect the rights of such appointee, without NET/SET qualification during the period 1991 to 2000. This judgment is of no assistance to the non-NET/SET Petitioners, specifically in view of the recent Supreme Court judgments in *"Suseela", "Kalyani" and the order in "Asha Bidkar" (supra),* and the provisions of mandate so reinforced by giving importance to the qualification prescribed by the UGC in the interest of excellence of Education. There was no question to keep the relaxation issues pending for so many years by the UGC, though the appointments were made without any prior relaxation/approval of requisite qualifications for such period.

Post or prior "relaxation" by UGC

45 After going through the documents so placed on record, including the basic qualification and regulations, we have noted that

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HIGH COURT OF JUDICATURE AT BOMBAY

the word "prior relaxation" was used for the initial appointment on the respective post of lecturer/professor. There is nothing mentioned and/or pointed out that the stated relaxation was granted prior to or on the date of their appointments. On the contrary, the documents and the communication of UGC shows that the relaxation to the posts were granted, after 8 to 15 years from the date of respective dates of appointments so mentioned in the communication by the UGC.

UGC cut off date 3.4.2000 to grant of relaxation

46 We are not inclined to accept the case that the UGC's cut off date i.e. 3-4-2000 was the last date for granting relaxation as that was the date from which the UGC's minimum qualification came into effect. We are not inclined to accept the case that NET/SET qualification became mandatory only from 4.4.2000. We are not inclined to accept that the qualification criteria was never a criteria for CAS. It means the Petitioners appointments were treated ad-hoc, by the State, for the purpose of CAS. The late relaxation, in the circumstances, in view of mandate so declared, even if any, cannot be sufficient to treat them equally with candidates who have acquired

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HIGH COURT OF JUDICATURE AT BOMBAY

NET/SET in time.

University Statute cannot be read in isolation

47 The provisions of earlier University Acts, in no way, assist the Petitioners to claim these benefits, in view of clear declaration from time to time by the State Circulars, (State affidavit) and UGC Regulations 1991 (UGC Affidavit). All the concerned were aware of the requirement of NET/SET/TEST qualifications. Such eligibility/mandatory tests, which affects the selection and appointments, cannot be overlooked merely because in in 11/7/2009 (UGC) Notification specifically made NET/SET eligibility criteria as mandatory. This in no way can be read to mean it was earlier recommendatory, and not binding.

48 We are not willing to accept the submissions so made by the learned counsel appearing for the Petitioners that 1991 Regulations of UGC are not mandatory referring to cases of *Raj Singh, Beena Inamdar and Jagdish Prasad (supra)*. The effect of Regulation of UGC and its requirement, considering the aims and objects of UGC Act and Regulations so framed cannot be overlooked as the requisite

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HIGH COURT OF JUDICATURE AT BOMBAY

qualification is for the excellence of education.

49 The provisions of the University Statutes cannot be read in isolation without reading the qualification so prescribed by the UGC which binds all the concerned, including the University, College and Teachers. The University, the State Government, therefore, are under obligation to follow and take note of qualifications so declared for appointments and for grant of benefits so announced. The judgment in *Khandesh (supra)* is of no assistance. The judgment of Supreme Court in *Khandesh (supra)* dealt with the aspect of Earned Leave and encashment of unutilised Earned Leave on the retirement of teachers/lecturers who were working in aided private college, therefore, held not to be the Government servants. This judgment is also of no assistance to the Petitioners.

Union of India's stand – UGC has no power to grant exemption

50 The learned senior counsel appearing for the Union of India referring to the provisions of UGC Act and the affidavit so filed, for the first time in this Petition, submitted that the UGC has no

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HIGH COURT OF JUDICATURE AT BOMBAY

power to grant any exemption for want of specific exemption provisions under the UGC Act. The statement is made that such arguments are not made even before the Supreme Court and/or in pending matters. This Court has, as recorded, in many matters earlier, directed UGC to consider/decide the proposal of granting exemption or relaxation. The UGC, as recorded, apart from other and/or even for want of provision, as contended, but pursuant to orders passed by this Court, have implemented the orders and granted the same. The learned counsel for the UGC stated that the UGC nowhere received any such adverse communication earlier at any point of time, except the affidavit in question, for the first time in this Court. We have noted that the UGC after granting the relaxation in the background, in the year 2011, has forwarded the communication to the Union of India for appropriate approval. Admittedly, there was no refusal or return communication received at the relevant time. After reading the provisions and the regulations so referred, even assuming for want of specific provisions in law about the power of UGC to grant "exemption", the power of "relaxation" in qualification, including of NET/SET for the appointment, is clearly provided in UGC Regulations since 1991 itself. Mere use of the word "exemption" that itself cannot

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HIGH COURT OF JUDICATURE AT BOMBAY

be read to mean that the UGC has no power of "relaxation" in qualification. The Rules/Regulations specifically prescribe such power.

51 We are not inclined to accept the submission of Union of India/Central Government, to extent that all the exemptions granted by UGC are without jurisdiction. The learned counsel appearing for the UGC has read and referred various regulations and Circulars/Resolutions and the communication whereby they have admittedly proceeded and granted relaxation/exemption.

52 The power to relax, in our view, was for the basic appointment or for the post and not for any other State benefits. The challenge of the regulations not placing before the House of Parliament is also unacceptable, at this stage of proceedings.

53 The non-NET/SET candidates cannot compare themselves with the persons who acquired Ph.D and M. Phil upto a particular date. The relaxation so granted and as upheld in *University Grants Commission v. Sadhna Chaudhari*,[14] cannot be the reason and is of no

14 (1996) 10 SCC 536

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HIGH COURT OF JUDICATURE AT BOMBAY

assistance to grant the relief so prayed as facts and circumstances are different.

54 The Supreme Court judgment dated 16.03.2015 in *P. Suseela (supra),* is based upon the events between the period 2011 to 2015 and the related UGC Rules/Regulations. This judgment is arising out of a large number of Appeals of four High Courts, including of Delhi High Court, dated 6 December 2010, whereby, the constitutional validity of the UGC Regulations 2009 under which NET/SET held to be the minimum eligibility condition for recruitment and appointments of lecturers/teachers in University/Colleges/Institutions. The law so declared re-iterating the mandate of provisions of UGC Act and the Regulations made thereunder, including the interpretations of Sections 20 and 26(1)(e) are relevant considering the issues so raised by the Petitioners.

55 The Apex Court in *P. Suseela (supra)*, after considering the rival contentions, decided the the issues about "the legitimate expectation" and "vested rights if not eligible" in the matter of appointments so also the importance of the directions issued under

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HIGH COURT OF JUDICATURE AT BOMBAY

Section 20 of the UGC Act and observed as under:-

> "12 …..These directions are not only made in exercise of powers under Section 20 of the Act but are made to provide for coordination and determination of standards which lies at the very core of the UGC Act. It is clear, therefore, that any regulation made under Section 26 must conform to directions issued by the Central Government under Section 20 of the Act.
>
> 13 ……..It is clear, therefore, that Section 26(2) would not stand in the way of the directions issued in the present case by the Central Government to the Commission.
>
> 15 Similar is the case on facts here. A vested right would arise only if any of the appellants before us had actually been appointed to the post of Lecturer/Assistant Professors. Till that date, there is no vested right in any of the appellants. At the highest, the appellants could only contend that they have a right to be considered for the post of Lecturer/Assistant Professor. This right is always subject to minimum eligibility conditions, and till such time as the appellants are appointed, different conditions may be laid down at different times. Merely because an additional eligibility condition in the form of a NET test is laid down, it does not mean that any vested right of the appellants is affected, nor does it mean that the regulation laying down such minimum eligibility condition would be retrospective in operation. Such condition would only be prospective as it would apply only at the stage of appointment. It is clear, therefore, that the contentions of the private appellants before us must fail.
>
> 17 The arguments based on Article 14 equally have to be rejected. It is clear that the object of the directions of the Central Government read with the UGC regulations of 2009/2010 are to maintain

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HIGH COURT OF JUDICATURE AT BOMBAY

> excellence in standards of higher education. Keeping this object in mind, a minimum eligibility condition of passing the natio0nal eligibility test is laid down. True, there may have been exemptions laid down by the UGC in the past, but the Central Government now as a matter of policy feels that any exemption would compromise the excellence of teaching standards in Universities/Colleges/Institutions governed by the UGC. Obviously, there is nothing arbitrary or discriminatory in this – in fact it is a core function of the UGC to see that such standards do not get diluted.
>
> 22 We have already pointed out how the directions of the Central Government under Section 20 of the UGC Act pertain to questions of policy relating to national purpose. We have also pointed out that the regulation making power is subservient to directions issued under Section 20 of the Act. The fact that the UGC is an expert body does not take the matter any further. The UGC Act contemplates that such expert body will have to act in accordance with directions issued by the Central Government."

56 The Supreme Court in *Suseela's case (supra)* has declared that these Central Government directions are prospective and would apply to the appointments made after 2009 regulations. Everybody needs to follow these directions issued under Section 20 of UGC Act. However, in the present facts and circumstances, as we are concerned with the appointments so made of teachers during the year 1991 to 2000 and in view of the order passed by the Division Bench of this Court in many matters including *Mohan Kulte (supra)* the power of

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HIGH COURT OF JUDICATURE AT BOMBAY

relaxation of UGC of the persons appointed between 1991 and 2000 would not be affected by this direction. The High Court judgments have attained the finality.

High Court's orders to consider proposal for exemptions/relaxations.

57 The learned counsel appearing for the Petitioners in support of their submissions have also read and referred judgment of this Court apart from the judgment of Supreme Court so referred above, including judgment dated 20.02.2002 in V*ishwaprakash (supra)* whereby directions were issued for sending the cases of Petitioners to UGC from colleges through the concerned Universities based on the provisions of 19.09.1991 and 4.4.2000 Regulations for claiming relaxations/exemptions. In another matter, by order dated 18.04.2002, further time was granted to the college/University and UGC to complete the process of exemption. This order, as stated earlier, remained intact as there was no further challenge raised to the same. On the contrary, the UGC, as recorded earlier, has already, though late, acted upon the same.

The relaxation, if any, that itself no reason to claim equal benefits.

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HIGH COURT OF JUDICATURE AT BOMBAY

58 The relaxation, even if, granted pursuant to the orders so referred above and/or otherwise that itself, in our view, cannot be the foundation and/or reason to act against the said policy decision of State Government not to grant the said CAS benefits to such non-NET/SET teachers appointed between 19.09.1991 and 3.4.2000.

59 The order passed by the Division Bench dated 20.04.2011 in Writ Petition No. 4908 of 2010 (Smt. Meenakshi Ajay Jumle & Anr. Vs. State of Maharashtra & Ors.) was on a foundation of granting them CAS benefits in senior scale and selection grade as NET/SET exemptions were granted by UGC/University and by counting their past service from the first date of regular appointment. The direction was issued to UGC to communicate to the State the date on which the exemption became effective as per Notification dated 5.11.2008. The State Government, however, considering the totality of the matter has now taken the policy decision to grant benefit from the date of Notification which cannot be faulted. This is also for the reason that non-NET/SET teachers/lecturers are different than the teachers who possess the NET/SET qualification. They are not equal as recorded

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HIGH COURT OF JUDICATURE AT BOMBAY

above. We are not inclined to issue direction to cover all the teachers appointed during the period from 19.09.1991 to 3.4.2000 whose representations for approval were sent to the UGC for such benefits. The other judgments so cited by the learned counsel appearing for the Petitioners are also of no assistance as those facts and circumstances are different.

60 The reliance on judgment dated 20.10.2010 (Aurangabad Bench) in Writ Petition No.357 of 2010, *Atul Suresh Patil & Ors. Vs. State of Maharashtra & Ors.*, was in the background of challenge to the UGC Notification dated 11.07.2009 and as stated to be recorded to act prospectively, so far as the necessity to have NET/SET qualification in the cases of M. Phil and Ph. D degree holders. Therefore, it was observed that for those candidates qualification of NET/SET was not compulsory. This judgment, therefore, is also of no assistance.

61 In Dr. Mahesh Kulthe, the Division Bench based upon Asha Bidkar vs. State of Maharashtra[15], including the other judgments so referred, has quashed and set aside the communication

15 2014 (1) All MR 116

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HIGH COURT OF JUDICATURE AT BOMBAY

referring to the pay fixation of the lecturers taking into account the dates of their appointments and gave them benefit of CAS. The fact that the Supreme Court has stayed the judgment (Asha Bidkar) and directed to decide the issue afresh therefore, also the judgment of Dr. Mahesh Kulthe (supra), in our view, is of no assistance except the fact that the UGC has acted upon the same, as even accepted by the counsel for the UGC. We are not inclined to accept the case that the services of such teachers should be counted from the date of their regular appointment.

62 A Division Bench judgment dated 20.04.2011 in Writ Petition No.4909 of 2010- Tikaram Dewaji Kose and ors v. State of Maharashtra and ors., (Nagpur Bench) directed the UGC to communicate to the State Government the date when such relaxation/exemption become effective. Accordingly it was provided.

63 All the appointments made during the period 1991 to 2000 have been protected by the State. Therefore, the decision in Sudhir Sharadrao Hunge v. State of Maharashtra, [16] and/or judgment

162010 (4) Mh. L. J. 572

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HIGH COURT OF JUDICATURE AT BOMBAY

in Atul Suresh Patil v. The State of Maharashtra[17] will not carry the Petitioners case further to claim CAS benefits and/or to declare Clauses 15/16 of impugned State Resolution bad in law.

64 The State's earlier affidavit, where willingness was expressed to provide CAS benefits, after stated relaxation by the UGC, even if any, in view of the policy decision so taken, being empowered to do so and now issued the impugned Resolution/circular by giving restricted benefits, subject to conditions, in our view, is just and proper.

65 A Division Bench of this Court in *Suresh Patilkhede (supra) on 11 May 2012,* in a Public Interest Litigation, while dealing with the UGC Act, Sections 12(d), 12(j) and 26(1) and Maharashtra Universities Act, 1994 and UGC (Minimum Qualifications for Appointment of Teachers and Other Academic Staff in University and Colleges and Measures for Maintenance of Standards in Education) Regulations 2010, held that Regulation 7.3.0, is recommendatory in nature. We are not concerned with the said Regulation. However,

17Judgment dt. 20 October 2010 in WP/357/2010 Aurangabad Bench

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HIGH COURT OF JUDICATURE AT BOMBAY

considering the recent Supreme Court judgments so referred above in *P. Suseela, Kalyani Mathivanan and the order in State of Maharashtra v. Asha Bidkar (supra)*, this judgment is of no assistance to the Petitioners to support their case.

66 In *Baburao (supra)*, a Division Bench of this Court, dealt with the right of teacher which flow from the Statute framed by the University including the issue of age of superannuations. This judgment on facts is distinguishable. We are not dealing with the issue of superannuation in the present matters.

UGC power of relaxation or exemption

67 The basic events as stated by the learned counsel appearing for UGC are as under, which they have filed along with their submissions and as per the affidavit filed in the present Petition and also before the Supreme Court of India in support of their contention. The stand taken accordingly, while granting the stated relaxation for the post at the relevant time :

Sr. No.	Dates	Events	
1	12.11.08	Direction under Sec.20 of UGC Act, 1956 issued by Ministry of Human Resources Development, Govt. of	

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HIGH COURT OF JUDICATURE AT BOMBAY

		India to UGC (i) to frame appropriate Regulations within a period of 30 days from the date of issue of this order prescribing that qualifying in NET/SLET shall generally be compulsory … & (ii) that a Degree of PhD Awarded by the University shall be in compliance with the procedure prescribed under the UGC Regulation.	
2	11/7/2009	UGC issued Regulations in pursuance of the above mentioned Direction issued by Government of India(GOI for short); providing thereby thus (i) NET/ SLET shall remain minimum condition for recruitment and appointment of Lecturer in Universities/Colleges/Institutions; (iii) Proviso that Candidate for being Awarded PhD Degree will have to ensure compliance with "UGC (minimum Higher Standards and procedure for Award of PhD Degree) Regulation 2009.	
3	30.03.2010	A further Directive under Sec 20 issued by MHRD Ministry Government of India under Sec 20 of UGC Act, 1956; listing therein 3 clauses thus; (i) UGC shall not take up specific cases for exemption from the application of 2009 NET/Regulation after the said Regulations have come into force….. for app ointment as Lecturers in Universities/ Colleges/Institutions; (ii) that appropriate Amendment to the 2nd Proviso to Clause (2) of the UGC 2000 Regulation shall be made by UGC to give full effect to the policy direction of the Central Government dated 12.11.2008, within 30 days from the date of issue of present direction; (iii) that the decision taken in its 468th meeting held on 23.02.2010 vide Agenda Items 6.04 and 6.05 to grant Specific Exemptions from the applicability of NET shall not be implemented …….	
4	18/9/2010	Pursuant to the aforementioned Directive, UGC framed 2010 Regulations, incorporating the aforestated stipulations.	
5.	12.08.2010 & 27.09.2010	UGC passed 2 Resolutions at its 471st meeting held on 12.08.2010 and 472nd Meeting held on 27.09.2010 that the said Regulations are prospective in nature; as more particularly set out in those Regulations.	
6.	03.11.2010	Government of India issued a (Demi-official) D.O.	

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HIGH COURT OF JUDICATURE AT BOMBAY

		Letter dated 03.11.201 disagreeing with the aforestated decision of UGC and whereby it was stated that a Candidate seeking appointment for the Post of Asst professor /Lecturer must fulfill the minimum Eligibility condition of having passed NET Test.	
7	08.07.2011	UGC held its 479th meeting whereat it took a decision to grant NET/SLET Exemption to the Teachers appointed on regular basis between September 19, 1991 and till 03.04.2000 in the State of Maharashtra; based on 1991 and 1998 UGC Regulations in view of various representations received from the Universities in Maharashtra as more particularly set-out in the said resolution. Incidentally, the said representations also made reference to certain Judicial Orders passed by this Hon'ble Court.	
8.	16.08.2011	A communication sent by UGC to Government of Maharashtra, regarding the aforementioned UGC Resolution	
9.	24th Aug,2011	UGC held its 480th meeting : wherein proceedings of the aforementioned 479th Meeting were confirmed; and wherein again the then Secretary, MHRD GOI, was present and at both the said UGC meetings; there was no observation made on behalf of MHRD, Govt of India on the exemption issue.	
10.	6th Sept 2011	A communication sent by UGC about the aforementioned 479th Meeting to the Personal Secretary of the then Human Resources Minister, & Secretary of MHRD, Govt, of India . At the said 479th Meeting held on 8.7.2011, Ministry of HRD , Government of India (GOI), was represented by the then Secretary (Higher Education). No observation made at the said meetings on behalf of MHRD; GOI	
11.	18.6.12	Letter sent by the Dy. Secretary MHRD, GOI, to the Secretary UGC enclosing herewith an application ------A reference received from Prof. Santosh Kumar M. Patil	
12	27.12.2013	A reply to the aforementioned MHRD, GOI letter dated 18/6/12 sent by UGC Secretary to Joint Secretary (Higher Education) Ministry of HRD, GOI.	
13	17th Oct, 2013	Judgment and order passed by Aurangabad Bench High Court in Writ Petition No. 10149 of 2010 wherein	

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HIGH COURT OF JUDICATURE AT BOMBAY

		Union of India was also a party. The authorities to consider Petitioners cases for granting exemption…. Without being tramelled by direction dated 30/3/2010 issued by HRD Ministry (para 31 of the said Judgment – direction dated 30/3/2010 was issued u/s 20 of UGC Act, 1956. No review filed against the said order nor SLP filed.	
14	9th Oct, 2014	MHRD Govt. of India letter for UGC referring to earlier D.O. letter dated 21/04/2014 in connection with the said Judgment of Aurangabad Bench in WP.No.10149/10 (Dr. Mahesh S/o P. Kulthe v/s. UOI, UGC & Ors and asking UGC to respond to contempt Petitions.	
15	15th Aug,2015	A detailed order passed by UGC in compliance with the said Judgment and order in WP.No.10149 of 2010 passed by the Aurangabad Bench as above ,mentioned in sr no13.	
16	31st July, 2013	494th UGC, meeting was held whereat UGC commission approved and decided that all such cases where faculty appointment were made by the college prior to 2000 with prior approval of the affiliating University, may considered for similar exemption.	

68 The undisputed events and the contentions revolving around those letters mentioned in above para, by the UGC, have crystalized the situation so far as grant of exemption/relaxation by the UGC for the teachers appointed between 1991 to 2000. We, for reasons so recorded above, therefore, accept the contentions of the UGC so far as actual grant of relaxation, from time to time.

69 The affidavit filed by UGC in various matters also accept

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HIGH COURT OF JUDICATURE AT BOMBAY

that the direction of the Central Government do not apply to the appointments in question and the applications for approval made accordingly. The submission, therefore, now raised by the learned counsel appearing for the Central Government/Union of India about these regulations prescribing relaxation for the persons who are appointed during 1991 and 2000 is therefore unacceptable. The power to grant such relaxation for the post to the UGC to non-NET/SET teachers appointed during 1991 and 2000 for the purposes of regularising the appointments, therefore, need to be accepted. The UGC resolution in the meeting dated 8.7.2011 to grant approval, in State of Maharashtra, where Universities have granted exemption from requirement of NET, based upon 1991 and 1998 is not against the Supreme Court's decisions. The Central Government and the State are not accepting the stated exemption effect as sought to be contended by the non-NET/SET Petitioners. Any decision even of UGC, if contrary to the clear provisions, it will not be given effect to, is the case of Union of India and as that of the State also. Merely because the counting of past service is necessary as per UGC Regulations, the State policy to regularise such services from the date of resolution, cannot be used against the State for CAS claim.

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HIGH COURT OF JUDICATURE AT BOMBAY

70 We are inclined to accept the following contentions of the State (Respondents 1 and 2) filed through affidavit dated 1 October 2015 in Writ Petition No.2082 of 2013 which reads as under:

> "29 I further say that under the provision of Section 8 of Maharashtra Universities Act, 1994, the University is not empowered to revise pay, allowance, other benefits etc to teachers, employees, grant any special pay, allowance or other extra remuneration or any benefits having financial implications on State Government. Thus, the university cannot take any decision related to matters which has financial implications, without prior permission of the State Government or unless and until State Government accepts it. I further say and submit that it is thus clear that the services of concerned teachers who did not fulfill qualification as per UGC Regulation, 1991 could not have been considered for any benefits, till the G.R. Dated 27.06.2013. I say that, from the date of 27.06.2013 State Government has accepted financial responsibility of the Non-NET/SET teachers appointed during the period of 19.09.1991 to 03.04.2000. However, the impugned G.R has been issued sympathetically considering situation which has been arisen out of large scale irregular appointments, hence, the concerned teachers do not acquire any right of claiming the benefits from date of appointments or any earlier date than prescribed in the impugned G.R. Thus it is humbly submitted before the Hon'ble High Court that the submission of the petitioners regarding giving the benefits of the CAS from the date of their initial appointment without having NET/SET qualification may kindly be quashed and set aside as per the issue is not only related to the petitioners but is covers very large number of teachers and it will prejudicially affect the interest of Net/MPhil/Ph.D qualified teachers and

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HIGH COURT OF JUDICATURE AT BOMBAY

> accordingly will pollute whole state of Higher Education. I, therefore submit that in the facts and circumstances raised herein above, the said Writ Petition and other similar writ petitions be dismissed with costs."

71 Strong reliance was placed by the learned counsel appearing for the Petitioners who are holders of NET/SET qualification on the judgment of a Division Bench of this Court in *Beena Inamdar v. University of Pune (supra)*. While dealing with the provisions of Maharashtra Universities Act, 1994, Sections 5(9), 5(60), 14(8) and the UGC Act, Sections 12 (d), 14, 26(1)(e), it is noted that the qualification prescribed by the UGC, though not provided in the State University Act or the Statute, the University is not absolved from abiding by the qualifications prescribed by the UGC. This is in the background that all the Universities are affiliated to the UGC specifically for the grant and related benefits. Referring to various Supreme Court judgments, it is concluded that all the Universities or the Colleges affiliated to such Universities to such Universities are bound by UGC Regulations. The non-compliance, if any, can be excused by relaxation only by the UGC, if case is made out and not as of right. This reported case was also a case of

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HIGH COURT OF JUDICATURE AT BOMBAY

appointments of non-NET/SET candidates, as the Principal of the College based upon advertisement dated 6 July 2006. The facts are distinguishable, but the law so laid down giving importance to the UGC declared prescribed qualification, cannot be overlooked. The judgment of Supreme Court in *University of Delhi v. Raj Singh (supra)* along with others was referred by the Division Bench and thereby dismissed the petition giving importance to the prescribed qualification for the related posts of Principal.

72 The State's conscious decision knowing fully the consequences thereto including the obligations of disbursement of salaries and all related benefits itself projected the important role in dealing with the employment and service matters of education institutions, covering by Universities, which are affiliated to the UGC.

Ph. D./M.Phil are exempted from NET/SET

73 Merely because some of the NET/SET candidates based upon then existing merit and/or otherwise after acquiring Ph.D/M. Phil have been appointed as Principal of Colleges and got all the benefits that itself cannot be the reason to extend the benefit similar

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HIGH COURT OF JUDICATURE AT BOMBAY

to the NET/SET qualified teachers. We see there is nothing wrong when the State Government has taken a policy decision to grant the declared benefits to the non-NET/SET teachers. Merely because for some subjects, NET/SET examinations were not available, but the appointments were made, without NET/SET test, is a different issue. These are two different classes. The doctrine of equal pay and status for equal work cannot be extended as prayed, in the circumstances.

74 The regularisation of services of non-NET/SET candidates, because of State Resolution and/or relaxation so granted by the UGC that itself is not sufficient to treat them equally with the candidates who have passed the NET/SET and acquired basic eligibility for the post. The Supreme Court Judgment in *Jagdish Kumar and ors v. State of H. P.*[18] is on different facts and circumstances specifically in view of specific conditions so put in by the State and the UGC to get all the rights and the benefits from the date of appointments or from the date of acquiring qualification. These are not the cases of challenge to the seniority list to be prepared based upon the passed departmental examination.

18(2005) 13 SCC 606

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HIGH COURT OF JUDICATURE AT BOMBAY

Similar duties by Non-NET/SET or with NET/SET = equal pay scale & increment benefits.

75 The submission that non-NET/SET teachers have been performing all the duties that are performed by the NET/SET teachers, is of no assistance to grant the benefits so claimed as the class so created and recognized by the State, in no way can be stated to be discriminatory and/or treating equals unequally. On the contrary, the State, inspite of above basic qualification lacuna and or no requisite qualification and/or failure to acquire qualification inspite of opportunity granted, protected their services by earlier Resolutions and by the Resolution in question.

The role of State of Maharashtra and its financial burden

76 The financial burden on the State is relevant factor. All eligible candidates who have passed the NET/SET examination, the State is providing them all benefits as announced. In the present cases, in the circumstances so referred above, though they have not acquired the NET/SET, still considering the background and the reason so mentioned in Government Resolution dated 27 June 2013, the State has granted the benefits from the date of Resolution. The

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HIGH COURT OF JUDICATURE AT BOMBAY

benefits so extended, though from the date which is also the issue, but considering the reason so recorded and in the interest of justice and to protect the interest of such teachers, who have been working since long, but not getting the CAS benefits for want of NET/SET qualification, cannot be stated, to be bad in law. The State's action is reasonable, fair, just and proper and within their power and authority. Union of India had released grants from 1991 to 1995 to such non-NET/SET lecturers.

77 It is relevant to note that the UGC, now has no specific role to play with regard to the payment of salary and all other CAS benefits, as ultimately it is the respective States who are required to make the arrangement for such payment. Selection of candidates to whom such benefits should be granted or not, or from which date, in the present case, the persons who acquired the qualification and who have not acquired the qualification, in our view, is within the power and jurisdiction of the State. The action and the condition for such benefits, can not be stated to be discriminatory and/or violative of Article 14 of the Constitution of India so also the the State Resolution in question.

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HIGH COURT OF JUDICATURE AT BOMBAY

78 As recorded, even the Supreme Court in *Suseela (supra)* deprecated/prohibited UGC for any blanket NET/SET exemptions. We have also noted that Union of India/Central Government, at no point of time, accepted the proposals so forwarded and/or never granted approval to the action of relaxation/exemption so issued by the UGC. In some cases, the UGC, in the year 2010, even withdrew the relaxation granted earlier. The State Government's action of considering and of taking sympathetic view by way of concession, in the background of the litigation and the Circular issued by the Respondents and the interpretation given is within the State policy.

79 Respondent No.3/UGC, in Writ Petition No.10166 of 2013, dated 23.11.2015 has also clarified the position that even if exemptions have been granted, Resolutions of 8.7.2011 itself was for the protection of services of the lecturers regularly appointed between 19.9.1991 to 3.4.2000. It is for the protection of services only. The aspects of regularising the services of such candidates/teachers/lecturers in the background so referred above, need no interference.

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HIGH COURT OF JUDICATURE AT BOMBAY

80 Therefore, in this background, the restriction so put by the State Government of granting benefits including of protecting services from the date of resolution as a policy decision considering the State's obligation, we are not accepting the alternate submission of the Petitioners that they are entitled for the benefits if not from the date of appointments, but at least from the date of stated individual date of exemption granted by the UGC.

81 It is clear that CAS provides benefits for a teacher who has appointed on full time regular basis and renders continuous services will get time bound promotion, whereby he receives senior designation and increased pay scale. Therefore, a qualified person who is in continuous services is entitled for the CAS benefits as per the scheme. The requirement of NET/SET, therefore, cannot be overlooked and the appointments, therefore, even if made, who has not passed the NET/SET examination cannot be treated equally. However, the pay scale of such teacher (non-NET/SET teacher) is at par with that of NET/SET qualified teacher.

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HIGH COURT OF JUDICATURE AT BOMBAY

82 In view of above and in view of the judgment of Supreme Court in *State of Orissa v. Mamata Mohanty*,[19] in para 70 which is reproduced hereinbelow, we are not accepting the case of rival Petitioners and we are accepting the stand and the submission so raised by the State and so also their Resolution, whereby the benefits such as CAS and other related benefits have been denied, but services have been protected.

> "70 In the facts and circumstances of the case, we feel that terminating the services of those who had been appointed illegally and/or withdrawing the benefits of grant-in-aid scheme of those who had not completed the deficiency in eligibility/educational qualification or withdrawing the benefit thereof from those who had been granted from the date prior to completing the deficiency, may not be desirable as a long period has elapsed. So far as the grant of UGC pay scale is concerned, it cannot be granted prior to the date of acquisition of higher qualification. In view of the above, the impugned judgment/order cannot be sustained in the eyes of law."

State granting continuity of service to Non-NET/SET candidates/lecturers/professors

83 The grant of continuity of service and regularisation by the State though they have not acquired requisite qualification of

19 2011 (3) SCC 436

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HIGH COURT OF JUDICATURE AT BOMBAY

NE5T/SET which is the recent development after the judgment so referred above and as the State has taken that decision and as it is in the interest of protecting the services of all concerned and as they have been in service for so many years, therefore, also we are not inclined to disturb the policy decision so taken by the State, with concurrence of the State General Administration and Law and Judiciary Departments. However, the regularisation of non-NET/SET teachers, ad-hoc teachers preferences from the date of Government Resolution, and other benefits so announced, is just, proper and within the frame work of law keeping in mind the mandate of Supreme Court Judgments and the provisions about basic qualification of NET/SET.

84 The Government (State Policy) (translation portion) (State affidavit) decision is as under :

> "14 Taking into account the scenario set out in the Introduction, the Notification of the University Grants Commission dated 19.9.1991 was implemented in the State from 23.10.1992; hence provisions of the said G.R cannot be made applicable with retrospective effect from 19.9.1991. Ergo, the qualification contained in University Grants Commission Notification dated 19.9.1991 cannot be made applicable to teachers appointed prior to 23.10.1992.

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HIGH COURT OF JUDICATURE AT BOMBAY

15 For such among the non-NET/SET teachers appointed during the period 23.10.1992 to 3.4.2000 who have not acquired the educational qualification prescribed by the University Grants Commission (NET/SET, Ph. D., M. Phil), the Government is sanctioning regularization of their services for all purposes from the date of issuance of this Government Resolution, subject to the following conditions:

a) Concerned teacher ought to have been appointed on Regular Basis.

b) Appointment of concerned teachers was made in the teaching post in accordance with the prescribed procedure

c) Appointment of concerned teacher fulfilling all other prescribed qualifications and conditions except NET/SET was approved by the University.

d) The concerned teacher's proposal for approval from the University Grants Commission has been forwarded through the University.

16 The Joint Director of the concerned Region shall constitute a committee under their Chairmanship to examine on merits the cases under their jurisdiction for the period 23.10.1992 to 3.4.2000. This screening committee will submit a self-explanatory proposal to the Director of Education, Higher Education, Maharashtra State, Pune for approval at the level of the Directorate after examining whether or not the entire procedure between the advertisement for the post of the concerned teacher up to the issuance of appointment order, has been in accordance with rules, and close scrutiny of all matters such as the post being a vacant one, social reservation being followed; thereafter approval be given at Director's level.

17 Similarly such of the affected non-NET/SET

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HIGH COURT OF JUDICATURE AT BOMBAY

> teachers who have been appointed as Principal or equivalent post, by holding admissible past service rendered by them, will not be disturbed and also the increments and pay drawn as per existing provisions will not be disturbed. Separate government resolutions will be issued on both these subjects.
>
> 18 Since the services of these teachers are being regularized for all purposes from the date of issuance of this Government Resolution, the defined contribution pension scheme will be applicable to them."

85 Considering the above provisions, including the Government Resolutions/circulars, we are not inclined to accept the submissions of the Petitioners who have acquired the qualification of NET/SET that the UGC has no power to grant exemption in the matters of appointments upto 2000. The challenge to letters 16.08.2011 and 26.08.2011 is also disposed off for above reasons. No case is made out of any contempt, as prayed.

Earlier Supreme Court/High Court judgments not considered by High Court in Asha Bidkar

86 We have also noted that in the judgment of Asha Bidkar (supra), the judgment of Raj Singh (supra) was not considered and so also the judgment of Beena Inamdar (supra) and also Division Bench

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HIGH COURT OF JUDICATURE AT BOMBAY

judgment dated 23.01.2006 in Writ Petition No.10216/2004-Savant Ramesh Dattu v. The State of Maharashtra, [Raj Singh (supra), Annamalai University v. Secretary to Government, Information and Tourism Department and ors - (2009) 4 SCC 590 and State of Orissa (supra). These judgments have dealt specifically with the UGC Act and 1991 UGC Regulations revolving around power to relax and the importance of essential qualifications and the standards of education in question. The Universities never stated that Regulations are not binding.

87 There is no question to refer the matter to the larger Bench, as, in view of order of Supreme Court (supra), including in State of Maharashtra v. *Asha Bidkar (Supra) and Suseela (supra) and Kalyani (supra)* and other Supreme Court judgments referred above *and/or earlier orders of this Court,* were not in the field when *Asha Bidkar (High Court) (supra) and other similar matters were decided.* The specific Central Government's reply, the UGC's reply and the State's reply filed before this Court recently, were not before the High Courts earlier. Therefore, considering the totality of matters, we have decided to deal with the issues afresh by giving the supporting

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HIGH COURT OF JUDICATURE AT BOMBAY

reasons and keeping in mind that Appeals/SLPs are pending in Supreme Court.

88 In many writ petitions, there are interim orders passed based upon the interim orders passed by the Supreme Court and the earlier judgments/orders of this High Court. All the Writ Petitions, are dismissed by this common Judgment and so also the claims for want of NET/SET qualification, therefore, the interim orders of High Court, if any, in individual matters are also stand vacated. However, in view of the fact that the matters are pending in Supreme Court and as we have decided these matters based upon the orders passed by the Supreme Court, pending the Appeals and the Special Leave Petitions, we are inclined to observe that this judgment shall not be given effect, so far as the order of vacating interim orders are concerned, till the Supreme Court passes an appropriate order. The Respondents/parties, if required, to take any steps based upon this judgment, shall be after further order of the Supreme Court. In this view of the matter, we are also directing the Registry of this Court to forward the copy of this judgment to the Supreme Court in Civil Appeal No.10759/2013 – State of Maharashtra v. Asha Ramdas Bidkar along with connected

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HIGH COURT OF JUDICATURE AT BOMBAY

matters, if any, at the earliest.

89 We have, in view of above and for the reasons so recorded, disposed of the present Petitions by this common judgment. It is made clear that this judgment will be applicable to all the similarly placed writ Petitioners also, who did not appear inspite of due notices of hearing.

90 We record our appreciation of the role of all senior Counsel and Advocates, who have rendered able assistance to the Court and placed on records common synopsis, submissions and written notes, along with common judgments compilation, after necessary research.

91 Therefore, the following order :

ORDER

1) It is declared that the teachers/professors/lecturers/candidates who have not acquired NET/SET/TEST qualification and who are appointed during 24.10.1992 to 3.4.2000

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HIGH COURT OF JUDICATURE AT BOMBAY

(except 19.9.1991 to 23.10.1992) (see Government Resolution dated 27.06.2013) are not entitled for CAS (Career Advancement Scheme) and other related benefits except the benefits including the pay scale and increments and other related benefits, as announced by the State, but on conditions so reproduced.

2) Upon acquiring NET/SET qualification, the teachers shall be entitled for the CAS and other related benefits in accordance with law from the date of acquisition of qualification of NET/SET as announced.

3) The challenge to the validity of the impugned State Government Resolution dated 27 June 2013 is rejected. The action of the State of Maharashtra is upheld. The State/Universities/Colleges to take steps accordingly.

4) In view of above, all the Writ Petitions, Contempt Petitions and Civil Applications are dismissed accordingly.

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HIGH COURT OF JUDICATURE AT BOMBAY

5) Rule in all the above matters is discharged and/or disposed of accordingly.

6) Ad/interim reliefs, if any, stand vacated, subject to para 88 hereof.

7) There shall be no order as to costs.

8) The Registry to forward copy of this judgment to Hon'ble Supreme Court, at the earliest, for record of Civil Appeal No. 10759 of 2013 and other connected Appeals and Special Leave Petitions.

(A. A. SAYED, J.) **(ANOOP V. MOHTA, J.)**

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