



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
WRIT PETITION NO. 2864 OF 2022

Sant Gadge Baba Amravati University Vs. The State of Maharashtra and anr.

WITH
WRIT PETITION NO. 2056 OF 2022

Sant Gadge Baba Amravati University Vs. The State of Maharashtra and anr.

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

Court's or Judge's Order

Mr. S. S. Ghatge, Advocate for petitioner (in both petitions).
 Ms. D. I. Charlewar, AGP for respondent No. 1 (in both petitions).
 Mr. N. R. Saboo, Advocate for respondent No. 2 (in both petitions).

CORAM : ROHIT W. JOSHI, J.
DATE : 17.09.2025.

1. Vide judgment dated 15.04.2019, passed in Complaint ULP No.92 of 2014, the learned Industrial Court, Amravati, directed the petitioner/university to give benefits of permanency in service to respondent no.2 from the date of her initial appointment. However, the direction to extend pecuniary benefits is directed to operate from 30.12.2014.

2. It appears from communication dated 28.08.2019, issued by the Registrar of the petitioner/university to the Joint Director of Higher Education, Amravati, Department Amravati, that a proposal for pay fixation of respondent no. 2 was forwarded by the petitioner/university to the Joint Director, in view of the judgment and order dated 15.04.2019, which is impugned in the present petition.

3. Mr. Saboo, the learned Advocate for respondent no. 2, draws attention to the paragraph No. 3 of the said communication to contend that the

appointment was made against one of the 18 vacant posts.

4. Respondent No. 1 has filed a reply on 20.06.2024, stating that the judgment passed by the Industrial Court is not binding on respondent No.1, as respondent No.1 is not a party to the proceedings before the learned Industrial Court.

5. The stand taken by respondent No.1 is unfortunate. There is a judicial pronouncement by a Court of competent jurisdiction which should be respected. In the event respondent No.1 has any objection, as regards, the proposal forwarded by the petitioner/university for granting approval to pay fixation in terms of the judgment, the same should have been clarified in the affidavit-in-reply. However, the affidavit-in reply only states that the judgment is not binding and, therefore respondent No.1 is not bound to act on the same.

6. Respondent No.1 is directed to file a detailed affidavit on or before 30.09.2025 to clarify its stand with respect to the proposal for pay fixation forwarded by the petitioner/university.

7. Respondent No.1 to note that request for further extension will not be entertained.

(ROHIT W. JOSHI, J.)