

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****BENCH AT AURANGABAD.****WRIT PETITION NO. 2831 OF 2013****VISHAKHA PANDURANG MHASKE . ..PETITIONER.****VERSUS****THE STATE OF MAHARASHTRA  
AND OTHERS.****..RESPONDENTS.**

...  
Advocate for Petitioners : Mr.Gadhe Ganesh A  
AGP for State/Respondents: Mr.S.K. Kadam.  
Advocate for Respondents : Mr.Ghatge Mahesh V.  
for R/10; Mr. Malte Uday S. for R/2 & 3:  
R.Nos.1,5,6,7,9 Served  
...

**CORAM : S.S. SHINDE & V.K. JADHAV, JJ.****Dated: April 30, 2014.****PER COURT:**

1. Heard learned Counsel for the petitioner. He submits that the cases of the petitioner and other candidates except respondent No.10 are not screened. He submits that the respondent No.2 does not possess experience of teaching for three years at M.A. Level. He further submits that, the entire record is suspicious and not seen or signed by the committee members.

2. Learned Counsel for the University has made available the original record for our perusal and also prepared comparative chart showing experience of the petitioner and also respondent No.10. The contents of the said chart are not disputed by the Counsel for the petitioner.

3. We have considered the submissions of the Counsel for the parties. The chart prepared by the Counsel for the respondent – university shows experience possessed by the petitioner as at *UG level 9 years, PG Level 2 years, Clock Hour Basis (C.H.B.) = 2 years. Not University Approved Teaching Experience. Not counted* (Clause No.11 of Application form) *PG Level Experience is inadequate*; and that of respondent No.10 at *UG level 4 years, PG level 02+02 (Project Fellow)(Regulation 4.3.0 iii), UG Level 1.7.2003 to 30.4.2004 i.e. 3 yrs. 11 months and 15 days, PG level 27.6.2004 to 30.6.2006 i.e. 2 yrs., 3 days, Asst. Prof. 1.10.2009 to 21.10.2011 i.e. 2 yrs. 21 days,(Till the date of Advertisement). Total experience = 8 yrs. 9 days.*

4. Learned Counsel appearing for the respondent

University invited our attention to Regulation No.4.3.0 iii of the UGC Regulations on Minimum Qualifications for Appointment and Career Advancement of Lecturers, Readers and Professors in the Universities and Colleges, which reads, thus:

“iii. A minimum of eight years of experience of teaching and/or research in an academic/research position equivalent to that of Assistant Professor in a University, College or Accredited Research Institution / industry excluding the period of Ph.D. Research with evidence of published work and a minimum of 5 publications as books and/or research/policy papers.”

5. Upon conjoint reading of the contents of the Chart, relevant provisions and upon comparing the petitioner's experience with that of respondent No.10, there is no manner of doubt that respondent No.10 possesses more than 8 years experience in teaching at UG level as well as PG level. The submission of the learned Counsel for the petitioner that the cases of other candidates are not screened is devoid of merits. We have perused the original record and we are satisfied that the Committee has considered cases of all candidates. This Court is not sitting as an appellate forum so as to go through the record and on re-appreciation of documents, take a different view than

the one taken by the Selection Committee.

6. Upon considering the original record available for our perusal and documents placed on record by the parties, it appears that the members of the committee have applied their minds and signed the documents. No case is made out for interference. Petition stands dismissed.

The amount deposited by the petitioner should be transferred to the account of High Court Legal Services Sub Committee, Aurangabad.

**(V.K. JADHAV, J)**

**(S.S. SHINDE, J)**