

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 114 OF 2019

DISTRICT: - OSMANABAD.

Smt. Savita Santosh Girbide,
Age-40 years, Occu. : Service as,
Associate Professor in Govt.
Ayurveda College, Osmanabad,
R/o. Vaibhav Niwas, Ganesh Nagar,
Osmanabad.

.. APPLICANT.

V E R S U S

- 1. The State of Maharashtra,**
Through the Secretary,
Medical Education & Drugs
Department, Govt. of
Maharashtra, Mantralaya,
Mumbai 400 032.
- 2. The Director,**
Ayurveda, Unani, Siddha &
Homeopathy, Govt. of
Maharashtra, St. Georges
Hospital, Fort,
Mumbai 400 001.
- 3. The Dean,**
Govt. Ayurveda College,
Osmanabad.

.. RESPONDENTS.

APPEARANCE : Shri. S.G. Kulkarni, learned Advocate
holding for Shri Ajay Deshpande,
learned Advocate for the applicant.

: Shri I.S. Thorat – learned Presenting
Officer for the respondents.

CORAM : **SHRI B.P. PATIL, ACTING CHAIRMAN**

DATE : **4TH SEPTEMBER, 2019.**

ORAL ORDER

1. At the request and by consent of both the parties, the present Original Application is taken up for final disposal.

2. By filing the present Original Application, the applicant has challenged the impugned order dated 02.02.2019 issued by the respondent No. 3 terminating her services with immediate effect and relieved her on the date of the termination order. He prayed to quash and set aside the order of termination and to direct the respondents to allow the applicant to discharge her duties at Government Ayurveda College, Osmanabad. The copy of the termination order is placed on record at Annexure 'A-8', page-27 of the paper book of O.A.

3. The applicant has passed B.A.M.S. in the year 2000 from R.T. Ayurveda College, Akola. She completed her post-graduation i.e. M.D. in Rashashastra from Govt. Ayurveda College, Nanded in the year 2007. Thereafter, the applicant served as Lecturer in a private aided Ayurveda College – Aryangla Ayurveda College, Satara for more than five years during 21.1.2008 to 14.6.2013. On the basis of experience acquired by her in teaching she came to be appointed as

Associate Professor in R.A. Podar Govt. Ayurveda College, Worli, Mumbai from 15.6.2013 to 20.2.2014. Incidentally Vaidya Kuldeep Raj Kohali, who is respondent No. 2 now, was working as Dean of R.A. Podar Govt. Ayurveda College, Worli, Mumbai at that time. As a candidate selected through Maharashtra Public Services Commission (for short “the Commission”) had joined in her place at Mumbai, the applicant had to vacate the post in the year 2014.

4. Thereafter, respondent No. 3 published an advertisement for various posts of Professors and Associate Professors at Osmanabad, in view of the Government Resolution dated 7.9.2011 as the Government decided as a policy decision to entrust powers to make appointments for 364 days with technical break of Professors and Associate Professors on contract basis to the respective Deans of the Govt. Colleges. The said G.R. was published with object to ensure that, the academic exigencies and the end beneficiary i.e. patients should not suffer due to complexity in the process of making appointment of Associate Professors and Professors in the field of various Medical Sciences. It was also mentioned in the said G.R. that the appointment should not be made in excess of 364 days and only upon giving technical

break such appointment is to be continued. The applicant submits that in majority of the cases as no fresh candidates were available, the incumbent who retired on attaining the age of 62 years were reemployed as Professors and Associate Professors. It is the contention of the applicant that the incumbents who have crossed the age of 60 years, there is no question of regularization of their services at such age, therefore, for those candidates who are appointed during the age of 30 to 38 years, the issue of regularization of their services has been a matter of consideration before the judicial fora in the State, and therefore, in order to enable availment of services of the retired Professors and Associate Professors, the G.R. contemplates appointment of such incumbents as well. It is the contention of the applicant that Deans of various Medical, Dental & Ayurveda Colleges appointed various incumbents to the post of Professors and Associate Professors by publishing advertisement. In various Medical & Dental Colleges, the candidates much below the age of 62 years i.e. ranging from 32 to 45 years have been appointed by the respective Deans. The applicant was also appointed at the age of 35 years by the then Dean of R.A. Podar Govt. Ayurveda college, Worli, Mumbai and that time Shri Kuldeep

Raj Kohali, who is presently Director of AYUSH i.e. respondent No. 2 was serving as Dean of the R.A. Podar Government Ayurveda College, Worli, Mumbai. But, he found fault in appointment of the applicant as Associate Professor by respondent No. 3 on 14.8.2014 when he became Director of AYUSH, Mumbai.

5. It is her contention that she has been initially appointed for 364 days by the respondent No. 3 by the office order dated 8.8.2014 as Associate Professor upon publishing an advertisement dated 25.7.2014, a copy of which is placed on record at page No. 11 of paper book of O.A. Thereafter, she was again appointed after giving technical break on 11.9.2015, 21.9.2016 & 21.9.2017. Again she has been reappointed by the respondent No. 3 on 8.1.2019 for a period of 364 days. She was supposed to be continued on contract basis till 6.1.2020 or till availability of selected candidates by the Commission, but the respondent No. 2 by misconstruing the provisions of Government Resolution dated 7.9.2011 instructed the respondent No. 3 not to continue the services of the applicant and to discontinue her from service forthwith. On the basis of the said directions, the respondent No. 3 issued the impugned order dated 2.2.2019, which was served

on the applicant on 4.2.2019 and cancelled the order of the appointment of the applicant dated 8.1.2019 on the basis of the communication issued by respondent No. 2 dated 13.6.2017 on the ground that she does not fulfill the prescribed qualification / conditions and she was relieved from the post. It is contention of the applicant that the impugned communication is not in accordance with the provisions of the Govt. Resolution and it is in contravention of the legal provisions. Therefore, she approached this Tribunal by filing the present Original Application and prayed to quash the impugned order and to reinstate her on the post of on the basis of the appointment order dated 8.1.2019.

6. Respondent Nos. 1 to 3 have filed their affidavit in reply and resisted the contentions of the applicant raised in the O.A. They have admitted the fact that the applicant was working on contract basis for certain period of time, as mentioned in contractual appointment orders issued by the Dean, Government Ayurveda College, Osmanabad, from time to time. The appointment was made on contract basis by the Dean, Osmanabad at his own level as per the provisions of G.R. dated 7.9.2011. It is their contention that due to various litigations in different courts, an informal meeting

was held between the Secretary, Medical Education and Drugs Dept. (Shri Sanjay Deshmukh) with the Director, Directorate of Ayush, Mumbai and held the informal discussion on the provisions in the G.R. dated 07.09.2011. As per the outcome of the meeting the office of Directorate of Ayush, Mumbai issued the letter dated 13.06.2017 to the Deans of Government Ayurvedic Colleges to follow the provisions of G.R. dated 07.09.2011. The Dean Government Ayurveda College, Osmanabad, issued the order dated 02.02.2019 and terminated the services of the applicant as she is below the age of 62 years and not eligible as per the provisions of G.R. dated 07.09.2011. It is their contention that the Dean, Osmanabad, was not following the condition laid down in the G.R. dated 7.9.2011 despite instructions given by Directorate of Ayush Office vide letter dated 13.06.2017 and reappointed the applicant on the post of Associate Professor on contractual basis though the applicant was not fulfilling the condition No. 4 of the G.R. dated 07.09.2011. Therefore, the office of Directorate of Ayush, Mumbai has called explanation from Dean, Government Ayurveda college, Osmanabad vide notice dated 01.02.2019.

7. Thereafter, the Dean, Government Ayurved College, Osmanabad issued the order dated 02.02.2019 and cancelled the contractual order dated 08.01.2019 and terminated the services of the applicant from the said post w.e.f. 02.02.2019 afternoon. It is their contention that the applicant is not a regular Government servant nor her services are governed by the M.C.S. Rules. It is their contention that the applicant was appointed as Associate Professor in R.A. Poddar Vaidyak (Ayu) College, Mumbai from 15.06.2013 to 20.02.2014. It is their contention that one S.S. Madavi joined at R.A. Poddar Vaidyak (Ayu) College, Mumbai in the year 2013-14 through the Commission by nomination. The applicant has made unnecessary statement against the respondent No. 2 by his name.

8. It is their contention that the Government took the decision to fill up the vacant posts of Professor and Associate Professor on contract basis as a stop-gap arrangement at the concerned colleges at Dean's level till regular candidates are made available from the Commission or from Establishment Board by DPC on regular promotion and accordingly issued Government Resolution dated 7.9.2011. It is their contention that as per the Rules the post of Associate Professor in

Government Ayurveda Colleges should be filled up by the Commission by nomination and also by promotion through the DPC by Establishment Board. As per the Medical Education and Drugs Department G.R. dated 07.09.2011 Government has laid down procedure to fill up the Professors posts on contract basis for short span only and it provides that the appointment orders issued in favour of the Associate Professor or Professor will not confer any right on them to claim permanent posting on the said post. It is their contention that the honorarium of Rs. 40,000/- & 50,000/- was fixed for Associate Professor and Professor respectively which are far lesser than even the newly appointed Associate Professor's. It is their contention that there is no illegality in the impugned order. Therefore, they supported the impugned order and prayed to reject the O.A.

9. It is their further contention that as per clause / condition No. 4 of the Government Resolution dated 7.9.2011, the candidates who have completed 62 years and not above 65 years of age are to be appointed on contractual basis on the post of Professor and Associate Professor. It is their contention that the applicant does not fulfill the said criteria

and, therefore, her appointment has been cancelled. On these grounds the respondents justified the impugned order and prayed to dismiss the Original Application.

10. I have heard the arguments advanced by Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents. I have perused the application, affidavit, affidavit in reply filed by the respondents. I have also perused the documents placed on record by both the sides.

11. Admittedly, the applicant has passed B.A.M.S. in the year 2000 from R.T. Ayurveda College, Akola. Admittedly, she completed her post-graduation i.e. M.D. in Rashashastra from Govt. Ayurveda College, Nanded in the year 2007. Thereafter, the applicant served as Lecturer in a private aided Ayurveda College – Aryangla Ayurveda College, Satara for more than five years during 21.1.2008 to 14.6.2013. Admittedly, on the basis of experience acquired by her in teaching she came to be appointed as Associate Professor in R.A. Podar Govt. Ayurveda College, Worli, Mumbai from 15.6.2013 to 20.2.2014. Incidentally Vaidya Kuldeep Raj Kohali, who is

respondent No. 2 now, was working as Dean of R.A. Podar Govt. Ayurveda College, Worli, Mumbai at that time. As a candidate selected through Commission joined in her place at Mumbai, the applicant had to vacate the post. Admittedly, thereafter, respondent No. 3 published an advertisement for various posts of Professors and Associate Professors at Osmanabad. Admittedly, by G.R. dated 7.9.2011 the Government decided to confer powers to appoint the Professors and Associate Professors for 364 days with technical break on contract basis on the respective Deans of the Govt. Colleges till the appointment of Professors and Associate Professors on regular basis by nomination or promotion. Admittedly, the procedure for appointment of the Professors and Associate Professors on temporary basis has been laid down in the said G.R. There is no dispute about the fact that in pursuance of the said G.R. the respondent No. 3 appointed the applicant for the first time in the year 2014 by following due procedure laid down in the G.R. dated 7.9.2011 and issued the appointment order dated 8.1.2014. Thereafter, the respondent No. 3 issued the appointment order of the applicant dated 8.1.2014 for the period of 364 days. Thereafter, she came to be reappointed on contractual

basis by the respondent No. 3 by order dated 11.9.2015, 21.9.2016, 21.9.2017 and 8.1.2019. Admittedly, the respondent No. 3 issued the impugned order dated 2.2.2019 and cancelled the appointment order dated 8.1.2019 and relieved the applicant on the very day.

12. Learned Advocate for the applicant has submitted that the applicant has been initially appointed by the respondent No. 3 by following the due procedure laid down in the G.R. dated 7.9.2011. She is working under the respondent No. 3 since the year 2014. Admittedly, she was appointed for 364 days. Thereafter she was reappointed after giving break as provided under G.R. Learned Advocate for the applicant has argued that lastly she was appointed for 364 days by the order dated 8.1.2017 issued by the respondent No. 3. He has submitted that Shri Kuldeep Raj Kohali, who is now Director of AYUSH i.e. respondent No. 2 was working as Dean of the R.A. Podar Government Ayurveda College, Worli, Mumbai in the year 2013. Initially the appointment of the applicant was made on contract basis by the then Dean, Osmanabad at his own level as per the provisions of G.R. dated 7.9.2011, but when he took charge of the post of Director Ayush he misinterpreted the provisions of the G.R. dated 7.9.2011 and

issued letter to the Deans of the Government Colleges on 13.6.2017 and instructed them not to appoint the candidates who have not completed age of 62 years. He has submitted that the respondent No. 2 has misread and misconstrued the provisions of the G.R. and issued the said communication. On the basis of the said communication, a notice was issued to the respondent No. 3 to cancel the impugned order. Therefore, the respondent No. 3 cancelled the appointment of the applicant before completing her contractual period. He has submitted that the G.R. dated 7.9.2011 nowhere provides minimum age for appointment on the post of Professors and Associate Professors. Not only this, but the advertisement issued by the respondent No. 3 prescribes the maximum age limit of 65 years and it does not provide minimum age for the appointment on the post of Professor and Associate Professors. He drew my attention to the contents of the advertisement, a copy of which is placed on record at page Nos. 11 to 14 of paper book of the OA. He has submitted that G.R. dated 7.9.2011 nowhere provides that the candidate must not be below the age of 62 years old. He has submitted that the Government took the decision to fill up the post on contract basis in the interest of patient as number of posts of

Associate Professors and Professors are vacant. He has submitted that the object behind the issuance of the G.R. is to fill up the post on contract basis as the regular appointments are not made by the Commission by nomination, as well as, by promotion. He has submitted that the respondent No. 2 misconstrued the provisions of the G.R. and issued the communication dated 13.06.2017 on the basis of the communication issued from him, the respondent No. 3 has passed the impugned order without giving an opportunity of hearing to the applicant. Hence, she prayed to quash and set aside the impugned order.

13. Learned Presenting Officer has submitted that the respondent No. 3 has not considered the provisions of G.R. dated 7.9.2011 with proper perspective while giving appointment to the applicant since the year 2014. He has not followed the procedure laid down in the G.R. He has submitted that clause No. 4 of the G.R. provides that the candidates appointed on the contract basis should be of 62 years and he will not get the appointment on completion of 65 years. He has submitted that in view of the said provision the candidate who crossed the age of 62 years is eligible to get the appointment. The applicant is below the age of 62 years,

therefore, she is not eligible. He has submitted that the said irregularity committed by the respondent No. 3 has been noticed by the respondent No. 2 and, therefore, the respondent No. 2, issued the communication dated 13.06.2017 to all Deans of Government Colleges and informed the concerned to make appointments as per the provisions of G.R. dated 07.09.2011. He has submitted that on the basis of the same the respondent No. 3 issued the impugned order and, therefore, there is no illegality in the same. Therefore, he has supported the impugned order.

14. On perusal of the record, it reveals that on 7.9.2011 the Government issued the G.R. and decided to fill the post of Professors and Associate Professors in the Government Medical College, Dental College and Ayurveda College on contract basis in the interest of patient and students. The powers to make appointment were conferred on the Dean of the concerned Colleges. The procedure for appointment has been laid down therein. The provisions of the G.R. are material and relevant. Therefore, I reproduce the same as under: -

*करार पध्दतीवरील नियुक्ती
प्राध्यापक, सहयोगी प्राध्यापक, शासकीय,
वैद्यकीय, आयुर्वेद व दंत महाविद्यालये.*

महाराष्ट्र शासन
वैद्यकीय शिक्षण व औषधी द्रव्ये विभाग,
शासन निर्णय क्रमांक : एमइएस १५०८/प्र.क्र. ९४/०८/वैसेवा१
मंत्रालय, मुंबई - ४०० ०३२
दिनांक - ७ सप्टेंबर, २०११.

वाचा : १) शासन निर्णय क्रमांक : एमइएस १६०१/प्र.क्र. १८२/वैसेवा-१ दि. १७.७.

२००४

२) शासन निर्णय क्रमांक : एमइएस १५०१/प्र.क्र. १८२/वैसेवा-१ दि. २२.१२.

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प्रस्तावना :

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शासन निर्णय :

महाराष्ट्र लोकसेवा आयोगाकडून व आस्थापना मंडळाकडून उमेदवार प्राप्त होईपर्यंत शासकीय वैद्यकीय, दंत व आयुर्वेद महाविद्यालयातील प्राध्यापक व सहयोगी प्राध्यापक संवर्गातील रिक्त पदे तात्पुरत्या स्वरूपात करार पध्दतीने भरणे रूग्णहित व विद्यार्थी हित विचारात घेऊन क्रमप्राप्त ठरते. ही बाब विचारात घेता करार पध्दतीवरील नियुक्ती करण्यास संबंधित शासकीय वैद्यकीय, दंत व आयुर्वेद महाविद्यालयाचे अधिष्ठाता सक्षम राहतील. संबंधीत अधिष्ठाता खालील अटीच्या आधीन राहून करार पध्दतीने नियुक्ती करण्याची कार्यवाही करतील :-

१) करार पध्दतीने करण्यात येणा-या नियुक्तीकरिता व्यापक प्रमाणात प्रसिध्दी देण्यात येऊन पारदर्शकतेचा अवलंब करण्यात यावा अशा नियुक्तीचा पात्र उमेदवारांच्या मुलाखती घेऊन गुणवत्तेनुसार केल्या जातील. मुलाखती बाबतचे अभिलेख जतन करून ठेवण्यास अधिष्ठाता जबाबदार असतील. नियुक्तीसाठी बाह्यशक्तीचा दबाव अथवा शिफारस आणणारे उमेदवार नियुक्तीसाठी आपोआप अपात्र ठरतील.

२) करार पध्दतीने करण्यात येणा-या नियुक्ती या संबंधीत महाविद्यालयात विषयात रिक्त असलेल्या पदांच्या संख्येच्या मर्यादित असतील.

३) करार पध्दतीने करण्यात येणा-या नियुक्तीचा कालावधी हा महाराष्ट्र लोकसेवा आयोगाकडून किंवा आस्थापना मंडळाकडून व बदलीने पात्र उमेदवार उपलब्ध होईपर्यंत अथवा ३६४ दिवसांचा कालावधीकरीता यापैकी जे अगोदर घडेल तो कालावधी राहिल. मात्र कोणत्याही परिस्थितीत ३६४ दिवसानंतर खंड दिल्याशिवाय पुनःकरार पध्दतीने नियुक्ती देता येणार नाही. असा खंड न दिल्यामुळे काही न्यायालयीन प्रकरणे उदभवल्यास त्याची सर्वस्वी जबाबदारी संबंधीत अधिष्ठातांची असेल.

४) पूर्वी करार पध्दतीने कार्यरत असणा-या उमेदवारास नियुक्ती द्यावयाची झाल्यास न चुकता उपरोक्त अ.क्र. १ मधील कार्यपध्दतीचा अवलंब करून गुणवत्तेनुसार अशी नियुक्ती करावी लागेल. करार पध्दतीने करण्यात येणा-या नियुक्ती संबंधीत उमेदवाराच्या ६२ वर्षानंतर वेळोवेळी खंड देऊन देता येतील. तथापी उमेदवाराने वयाची ६५ वर्ष पुर्ण केल्यानंतर तो / ती करार पध्दतीने नियुक्तीसाठी अपात्र होईल.

५) करार पध्दतीवरील नियुक्तीसाठी उमेदवारांस सेवाप्रवेश नियमावलीतील शैक्षणिक अर्हता व अनुभवाच्या अटीची पूर्तता करणे आवश्यक राहिल.

६) करार पध्दतीवरील नियुक्ती दिलेल्या उमेदवारांस राजिनामा द्यावयाचा झाल्यास त्यांनी ३ महिन्यांची आगाऊ नोटीस संबंधीत अधिष्ठातांकडे देणे बंधनकारक राहिल. ते शक्य नसल्यास ३ महिन्यांचा मानधनाची रक्कम शासकीय कोषागारा जमा केल्यानंतर त्याची / तीचा राजिनामा अधिष्ठातांना मंजूर करता येईल.

७) करार पध्दतीवर नियुक्ती केलेल्या उमेदवारांच्या कामकाजाचा आढावा विभाग प्रमुख व अधिष्ठाता यांनी नियमितपणे घ्यावा. असा आढावा असमाधानकारक, असल्यास संबंधीत उमेदवारांच्या नियुक्त्या पुर्वसुचना न देता समाप्त करण्याचे अधिकार अधिष्ठातांकडे राहतील.

८) करार पध्दतीच्या उमेदवारांस विभागाचे प्रमुख व अधिष्ठाता यांच नियंत्रणाखाली आपल्या पदाच्या कर्तव्य व जबाबदा-या पाडाल्या लागतील तसेच या उमेदवारांना नियमित अध्यापकांप्रमाणे पुर्णवेळ काम करणे बंधनकारक राहिल.

९) करार पध्दतीवरील नियुक्त अध्यापकांना त्यांच्यावर सोपविण्यात आलेल्या महाविद्यालयीन व रुग्णालयीन कर्तव्य व जबाबदा-या विपरित परिणाम होणार नाही याची दक्षता घेऊन खाजगी वैद्यकीय व्यवसाय करण्यास मुभा राहिल.

१०) करार पध्दतीवरील नियुक्त उमेदवारांना नियमित नियुक्तीसाठी कोणताही हक्क राहणार नाही. तसेच करार पध्दतीवरील काम केलेला कालावधी सेवानिवृत्तीच्या लाभासाठी विचारात घेता येणार नाही.

११) करार पध्दतीवरील नियुक्त प्राध्यापकाला प्रतिमाह रु. ५०,०००/- व सहयोगी प्राध्यापकांना प्रतिमाह रु. ४०,०००/- एवढे मानधन अनुज्ञेय राहिल. हा खर्च संबंधीत संस्थेच्या वेतनापोटी देय असणा-या मंजूर अनुदानातून भागविला जाईल.

सदर शासन निर्णय वित्त विभागाने अनौपचारिक संदर्भ क्र. ४२८/१०/व्यय-१३, दि. ११. ०८.२०१० अन्वये दिलेल्या मान्यतेनुसार निर्गमित करण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने.

सहि/-

(आय. एस. व्हल)

सचिव, महाराष्ट्र शासन

15. On considering the same, it is crystal clear that for making the initial appointment on the post of Professor and Associate Professor on contract basis the concerned Dean has to adopt the transparent procedure laid down in the clause 4. Clause 3 of the said G.R. provides that such appointment

should be made for 364 days or till appointment of the candidates on regular basis and in any condition no appointment should be made beyond 364 days. Clause 4 of the G.R. provides that in case of appointment of candidates who are already appointed on such post on contract basis, the procedure as provided in clause 1 should be adopted and such appointment should be made strictly on merit. Such appointment of the candidates can be made after the age of 62 years by giving technical break, but on completion of age of 65 years such candidates will be ineligible for the appointment on contract basis. In the said G.R. no minimum age for the appointment of the candidates on contractual basis has been mentioned. Clause No. 4 relates to the appointment to be given to the candidates, who are already appointed on contractual basis and the relevant provision regarding the age prescribed therein is for such candidates only. The said provision is not applicable to the concerned candidates, who desire to be appointed on contractual basis. But the respondents are misread and misinterpreted the provision of the clause No. 4 and issued the communication dated 13.6.2017. On the basis of the directions given by the respondent No. 2, the respondent No. 3 passed the impugned

order cancelling the reappointment of the applicant on contractual basis for the period of 364 days. The respondents have not considered the provision of G.R. in true spirit and, therefore, the impugned order came to be passed.

16. The record shows that the respondent No. 3 appointed the applicant initially in the year 2014 by following due procedure prescribed in the clause No. 1 of the G.R. dated 7.9.2011. Thereafter, he reappointed the applicant by following the provisions prescribed in the G.R. The respondent No. 3 has lastly issued reappointment order of the applicant on 8.1.2019, which is in accordance with the provisions of the said G.R. But he has illegally terminated the services of the applicant by misinterpreting the G.R. Therefore, the impugned order dated 2.2.2019 issued by the respondents is not legal. Hence, it requires to be quashed and set aside by allowing the Original Application.

17. In view of the discussion in foregoing paragraphs, the Original Application is allowed and disposed of. The impugned order dated 2.2.2019 issued by the respondent No. 3 cancelling reappointment order dated 8.1.2019 of the applicant on the post of Associate Professor for the period of

364 days is hereby quashed and set aside. The respondents are directed to reinstate the applicant forthwith in view of the reappointment order dated 8.1.2019.

There shall be no order as to costs.

ACTING CHAIRMAN

PLACE : AURANGABAD.

DATE : 4TH SEPTEMBER, 2019.

O.A.NO.114-2019(DB-Termination)-HDD-2019