

ITEM NO.9

COURT NO.13

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 5075-5076/2020

(Arising out of impugned final judgment and order dated 01-10-2019 in WP No. 4129/2017 17-01-2020 in RAC No. 215/2019 passed by the High Court Of Judicature At Bombay At Aurangabad)

DATTATRAYA GANGADHAR DALVI

Petitioner(s)

VERSUS

GODAWARI SHIVAJIRAO PAWAR & ORS.

Respondent(s)

IA No. 24934/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 143057/2021 - EXEMPTION FROM FILING O.T.

IA No. 115436/2021 - EXEMPTION FROM FILING O.T.

IA No. 143056/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

CONMT.PET.(C) No. 668-669/2021 in SLP(C) No. 5075-5076/2020 (IX)
(FOR ADMISSION)

Date : 31-03-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI

HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Mr. Nishant Ramakantrao Katneshwarkar, AOR

For Respondent(s) Mr. Amol B. Karande, AOR
Mr. Pulkit Tyagi, Adv.

Mr. Sachin Patil, AOR

Mr. Uday B. Dube, AOR
Mr. Kaustubh Dube, Adv.

Mr. Abhay Anil Anturkar, Adv.
Mr. Ranjit Shinde, Adv.
Ms. Bhavya Pande, Adv.
Mr. Dhruv Tank, Adv.
Dr. R. R. Deshpande, AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard counsel for the parties.

Admittedly, the degree of Ph.D. in Agriculture Botany possessed by the petitioner is not from an Agricultural University. The University which has awarded him the degree is Swami Ramanand Teerth Marathwada University (SRTM), who, in its affidavit filed in the proceedings has made it clear in Para 4(e)(iv) and (v) that Swami Ramanand Teerth Marathwada University (SRTM) never award any degree pertaining to Agriculture and the word (Agriculture) affixed before the word "Botany" in case of the petitioner is because of some misconception.

The further statement made by the University is that it has no branch of any agricultural subject as well as it does not have any such faculty and the University, till date, has not conferred any degree to Ph.D pertaining to the agricultural faculty because the University is not competent to do so and it is further apparent from the prohibition prescribed under Section 9 of the Maharashtra Agriculture University Act holding that no non-agricultural university can confer the degree from the faculty of Agricultural, veterinary and fisheries.

The extract of the affidavit filed by the Swami Ramanand Teerth Marathwada University(SRTM) in para 4(e)(IV) and (V) is quoted hereunder:-

"IV. Botany is ultimately has the nexus with the agricultural field but still then it is a separate branch of the science and not only the agricultural science and as such the degree awarded by this university a pure degree from the faculty of Botanical Science.

V. It is specifically submitted that probably under some misconception the word (Agriculture) is affixed before the word "Botany" in case of the petitioner and so he is presuming that the said degree is the degree from the agricultural study however it is specific submission of this university that this university has no branch of any agricultural subject as well as it does not have any such faculty."

The above facts have been considered by the High Court extensively in its impugned judgment dated 01-10-2019 before us.

After we have heard counsel for the parties, we find no reason to interfere in the impugned order passed by the High court.

The Special Leave Petitions are, accordingly, dismissed.

Pending application(s), if any, shall stand disposed of.

In view of the order in Special Leave Petitions, contempt proceedings in Contempt Petition(C)nos. 668-669/2021 also stands dismissed.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(BEENA JOLLY)
COURT MASTER (NSH)