

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No. 15958/2023

[Arising out of impugned final judgment and order dated 30-06-2023 in WP No. 5944/2022 passed by the High Court of Judicature at Bombay at Nagpur]

DR. MIR SADIQUE ALI

Petitioner(s)

VERSUS

VIDARBHA YOUTH WELFARE SOCIETY & ORS.

Respondent(s)

[TO BE TAKEN UP IMMEDIATELY AFTER THE FRESH MATTERS, IF ANY]

(IA No. 236279/2023 - CLARIFICATION/DIRECTION and IA No. 141852/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 141853/2023 - EXEMPTION FROM FILING O.T. and IA No. 21792/2024 - EXEMPTION FROM FILING O.T. and IA No. 21736/2024 - EXEMPTION FROM FILING O.T. and IA No. 192480/2025 - EXEMPTION FROM FILING O.T. and IA No. 250052/2024 - INTERVENTION APPLICATION and IA No. 236280/2023 - INTERVENTION/IMPLEADMENT and IA No. 167533/2025 - MODIFICATION and IA No. 21734/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 144514/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 19-11-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) :

Mr. Akshaya M Sudame, Adv.
Mr. Kunal Cheema, AOR
Mr. Raghav Deshpande, Adv.
Mr. Shubham Chandankhede, Adv.
Mr. Rushabh Tripathi, Adv.
Mr. Abhishek Kalaiyarasan, Adv.

For Respondent(s) :

Mr. V. Giri, Sr. Adv.
Mr. Siddhesh Shirish Kotwal, AOR
Ms. Ana Upadhyay, Adv.
Mr. Nihar Dharmadhikari, Adv.

Mr. T. Illayarasu, Adv.
Mr. Shubhanshu Patel, Adv.

Mr. Harish Pandey, AOR
Mr. Devvrat Yadav, Adv.

Mr. Anand Dilip Landge, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

Mr. Rohit Anil Rathi, AOR
Ms. Niharika Singh, Adv.

Mr. Vaibhav Yeshwant Kulkarni, AOR

Mr. Satya Kam Sharma, AOR

UPON hearing the counsel the Court made the following

O R D E R

- 1) Heard learned counsel for the petitioner. During hearing, certain points need clarification from All India Council for Technical Education ('AICTE' for short) as well as State.
- 2) Following the promulgation of the 2019 Regulations dated 01.03.2019, wherein as per clause 2.12, the age of retirement of all 'faculty members and Principals/Directors' of 'Institutions' has been made 65 years. It is to be clarified that whether the said age would mandatorily be applicable to the private non-aided institutions running after approval of AICTE, having permission of the State Government. It is further required to be clarified that in terms of the 2010 Regulations, for all government and non-government aided

Institutions, the age of 'Teachers' in 'Technical Institutions' was increased to 65 years except for librarians and the other applicable allowances, which shall be decided as per the State Government Employees, then in that event, what would be age of superannuation for the employees (in particular 'Principal') in private non-aided colleges having approval of AICTE?

3) The reference of the words 'these institutions' would relate to institutions run by government and aided. However, for the non-aided institutions, what would be the age of superannuation in terms of 2010 Regulations and 2019 Regulations?

4) It be clarified by State that, after 2019 Regulations which applies for 7th Pay Commission, has the State Government issued any clarification with respect to the age of superannuation? If so, it be filed, otherwise, it be clarified that for the non-aided Government institutions, why the AICTE Regulations would not have its application?

5) As pointed out by Mr. V. Giri, learned senior counsel, that non-aided institutions, the State has issued Resolution dated 05.03.2011 in reference to 2010 Regulations wherein the Government Resolution No. 2010/(503/10) dated 25.02.2011 has

been referred and in particular, clause 9 to say that for teaching staff and Principal of permanently unaided Institutions affiliated to Non-Agricultural University, Maharashtra State Board of Technical Education, decision of escalation or retirement age will be at sole discretion of organization and in this regard, a Committee has been constituted in clause (10). However, how far such circular is in consonance with the AICTE Regulations which is applicable to the technical institutions? The position be clarified by the State Government as to how far by AICTE Regulations are not being adhered to?

6) The clarifications as sought be filed by AICTE as well as State on or before 2nd December 2025. Further clarifications if any be filed by additional affidavits.

7) List on 03rd December 2025, immediately after fresh matters.

(NIDHI AHUJA)
AR-cum-PS

(NAND KISHOR)
ASSISTANT REGISTRAR