

GAHC010032422024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/803/2024

DR. NITASHREE MILI
W/O- DR. UJJAL DEKA BARUAH, R/O- FLAT NO. 3-B, PRIME SPACES
APARTMENT, LAMB ROAD, AMBARI, P.O. PANBAZAR, DIST. KAMRUP(M),
ASSAM, PIN- 781001.

VERSUS

THE GAUHATI UNIVERSITY AND 2 ORS
REP. BY THE REGISTRAR, GAUHATI UNIVERSITY, GOPINATH BORDOLOI
NAGAR, GHY-781014.

2:THE VICE CHANELLOR
GAUHATI UNIVERSITY
GOPINATH BORDOLOI NAGAR
GHY-781014.

3:THE REGISTRAR
GAAUHATI UNIVERSITY
GOPINATH BORDOLOI NAGAR
GHY-14

Advocate for the Petitioner : MR. K SINGHA

Advocate for the Respondent : SC, G U

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 16.02.2024

Heard Mr. K. Singha, learned counsel for the petitioner. Also heard Mr. P. J. Phukan, learned standing counsel for the Guahati University.

As consented by the learned counsels appearing for the parties, this writ petition is taken up for disposal at the motion stage itself.

The grievance expressed by the petitioner in the present proceedings is that although she had submitted her application in pursuance to the advertisement bearing No. T/2023/01 along with all supporting documents for recruitment to the post of Associate Professor in the Department of Geography, she was not called for the interview. The petitioner had approached the respondent authorities by way of an E-mail dated 21.11.2023 and therein had brought on record materials to justify that she fulfills all the eligibility criteria as mandated for holding the post now advertised vide the said advertisement. However, the said E-mail of the petitioner was not considered in terms of the provisions of Clause 15 of the "General Instructions and Terms & Conditions" as appearing in the said advertisement, which stipulates that there shall be no correspondence and no disclosure of reasons shall be allowed for non calling of a candidate to participate in the interview. Accordingly, the petitioner has instituted the present proceedings.

Today, when the matter was taken up for consideration, Mr. P. J. Phukan, learned standing counsel for the Gauhati University, on

instructions, has submitted that the University authorities have decided to permit the petitioner to appear for interview against the post of Associate Professor, Department of Geography and she would be issued with necessary communication in this direction.

In view of the above position, the University authorities are required to communicate to the petitioner the deficiencies, if any, as pointed out in the report of the IQAC and thereafter afford an opportunity to the petitioner to submit her clarifications thereon. On receipt of such clarifications from the petitioner, the matter be again placed before the IQAC for a re-consideration of the case of the petitioner with regard to determining her eligibility for appearing in the recruitment process for the post of Associate Professor in the Department of Geography.

Pending the consideration of the review with regard to the deficiencies that may exist in the IQAC report, the petitioner shall be permitted to appear in the interview scheduled for the post of Associate Professor in the Department of Geography in pursuance to the advertisement bearing No. T/2023/01 (corrected) dated 19.04.2023 and her case shall be considered thereon on merit. The result of the consideration made in respect of the candidates appearing for interview against the post of Associate Professor in the Department of Geography in pursuance to the said advertisement dated 19.04.2023, shall be kept in a sealed cover.

On conclusion of the process of re-verification of the eligibility criteria of the petitioner as directed herein above, the results of the selection with regard to the post of Associate Professor in the Department

of Geography shall be declared and appointments be made thereon. In the event, the petitioner on review is found to be eligible for appearing in the said selection process for the post of Associate Professor in the Department of Geography and she, on merit, is selected for appointment against the said advertised post, the petitioner shall be entitled to be appointed as such.

In the event, on conclusion of the review, if it is found that the petitioner does not satisfy any of the eligibility criterias as mandated, the University authorities while being permitted to proceed with the declaration of results of the selection held against the post of Associate Professor in the Department of Geography and make appointments thereof, the petitioner shall be invariably informed in writing of the deficiencies as existing with regard to any of the eligibility criterias mandated for such selection in her case.

With the above observations and directions, the writ petition stands disposed of.

JUDGE

Comparing Assistant