



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPSB/309/2024</u> <u>Hon'ble Manoj Kumar Tiwari, J.</u> <u>Hon'ble Pankaj Purohit, J.</u> 1. Mr. B.S. Adhikari, learned counsel for the petitioner. 2. Dr. Kartikey Hari Gupta, learned counsel for the respondents-University. 3. Petitioner was appointed as part-time Lecturer (Drawing & Painting) in HNB Garhwal University, Srinagar in the year 2008, while it was a State University. 4. According to petitioner, the said University was converted to a Central University under the provisions of The Central Universities Act, 2009, however, petitioner continued to work as part-time Lecturer (Drawing & Painting) in the Central University and she is serving as such even today. 5. In this writ petition, filed in 2024, petitioner challenged an advertisement dated 25.01.2023 issued by Competent Authority in the said University, whereby applications were invited for regular appointment to various teaching posts. The ground for challenge was that since petitioner has served for more than a decade, against sanctioned vacant post, therefore, he is entitled to be regularised against that vacancy and instead of considering her claim for regularisation, University is inviting fresh applications, which is not permissible. 6. Learned counsel for the University submits that no appointment could be made in the selection held pursuant to the impugned advertisement. Thus, he submits that first relief, claimed by petitioner in the



		writ petition, has now become infructuous. 7. Learned counsel for the petitioner also concedes that relief, claimed in prayer no. 1, do not survive any more. Learned counsel for the petitioner relied upon a judgment rendered by Hon'ble Apex Court in the case of <i>Somesh Thapliyal & another v. Vice Chancellor, H.N.B. Garhwal University & another, reported as (2021) 10 SCC 116</i> and submits that petitioner's case is similar to that judgment. 8. We have not examined the said contention on merits and it shall be open to the petitioner to raise that contention before the University. 9. Petitioner has also sought mandamus to the respondents to treat him appointed as regular employee against the sanctioned post, in other words, petitioner is claiming regularisation. 10. In the absence of any Statutory Rules or Scheme framed by the employer for regularisation, we are not inclined to issue the direction as prayer for. However, having regard to the fact that petitioner has now served for 18 long years, we dispose of the writ petition with liberty to petitioner to approach the Competent Authority in the University by making representation. If she makes representation, claiming regularisation / regular appointment, the Competent Authority shall consider the matter and take decision, as per law, within six weeks from the date of presentation of certified copy of this order. (Pankaj Purohit, J.) (Manoj Kumar Tiwari, J.) 11.06.2026 Aswal NETRAJ SINGH ADVOCATE
--	--	---



2026:UHC:4685-DB

--	--	--	--