

***IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH***

COCN No.142 of 2014

Date of decision:16.01.2015

Dr. Rajinder Kumar Singla

... Petitioner

Vs.

Professor A.K. Bhandari & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. R.D. Anand, Advocate for the petitioner.

Dr. Anmol Rattan Singh Sidhu, Sr. Advocate with
Mr. Suvir Sidhu, Advocate for respondents No.1 & 2.

Mr. Animesh Sharma, Advocate for respondent No.4.

Ms. Alka Chatrath, Advocate for respondents No.5 to 7, 11 to
13 and 16 to 18.

....

TEJINDER SINGH DHINDSA, J.

The instant contempt petition has been filed asserting intentional and deliberate violation of the order dated 13.11.2013 passed by the Division Bench of this Court in CWP No.5196 of 2013.

Learned counsel appearing for the petitioner would submit that by virtue of a decision taken by the Syndicate of Punjab University in its meeting held on 04.01.2014 at Annexure P-4 in relation to Agenda Item No.56, Professor Neera Grover i.e. the wife of respondent/contemner No.2 has been appointed as Professor in the Department of Music. Precise contention raised is that such appointment is in violation and derogation of the stand taken on behalf of the university at the stage of passing of the order dated 13.11.2013 by the Division Bench in CWP No.5196 of 2013 at

Annexure P-1. Counsel further argues that the term of Professor Neera Grover was to expire on 16.12.2013 and the Division Bench in the order dated 13.11.2013 had clearly noticed that further term had been declined by the Syndicate. It is argued that instead of resorting to a regular process of selection in terms of re-advertising the post, the respondent/contemners have taken a decision vide Annexure P-4 at Agenda Item No.56 and had made the emergent temporary appointment.

Having heard counsel for the parties and having perused the pleadings on record, this Court is of the considered view that no basis for interference is made out.

The decision taken by the Syndicate in its meeting held on 04.01.2014 as regards Agenda Item No.56 and in terms of which Professor Neera Grover has been appointed as Professor in the Department of Music, Punjab University, Chandigarh is in terms of exercise of the power conferred under Regulation 5(b)(i) at page 111, Chapter V(A) of the Punjab University Calendar Volume I, 2007. Such an order cannot be construed as an extension of the previous term being enjoyed by Professor Neera Grover.

That apart, this Court is of the view that the petitioner in the garb of the instant contempt petition is wanting the contempt Court to go into the validity of the decision taken by the Syndicate as regards Agenda Item No.56 on merits. The same clearly is not permissible and falls outside the purview of the contempt jurisdiction to be exercised by this Court.

The contempt petition is, accordingly, dismissed.

16.01.2015*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**