

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Date of decision : April 22, 2015

1. C.W.P No.272 of 1994 (O&M)

Payara Lal vs Maharshi Dayanand University, Rohtak & ors

2. C.W.P No.1786 of 1994 (O&M)

Om Parkash vs Maharshi Dayanand University, Rohtak & anr

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. S.K Sharma, Advocate
for the petitioner in CWP No.272 of 1994.

Mr. SK Sud, Advoczte
for the petitioner in CWP No.1786 of 1994.

Mr. Vikrant Sharma, Advocate
for the respondent-University.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
- 2. To be referred to the Reporters or not ?**
- 3. Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

This order shall dispose of CWP Nos.272 and 1786 of 1994, as common questions of law and facts are involved therein.

In the year 1993, the respondent-University advertised one post of Lecturer in Music which was reserved for SC candidates. Both the petitioners applied for the post and appeared for the interview. No other applicant appeared for the interview. The Selection Committee found both of them to be not suitable and consequently did not recommend any name.

It is that action which was challenged in these two writ petitions.

The stand taken by the respondent-University was that the decision of the Selection Committee cannot be subjected to judicial scrutiny unless in rare circumstances it can be shown that a candidate who is ex-facie lower in merit has been recommended. In the present case, the Selection Committee did not recommend any candidate on the ground that even though the petitioners may have been eligible yet they were not suitable. Moreover, a period 22 years has elapsed. In the circumstances, in my considered opinion, these writ petitions cannot succeed and are consequently dismissed.

April 22, 2015
`kk'

(AJAY TEWARI)
JUDGE