

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Date of Decision : November 28, 2015

1. CWP No.10617 of 2015

Dr. Vijay Pal and another Petitioners

Versus

Kurukshetra University, Kurukshetra and others Respondent

2. CWP No.7388 of 2015

Dr. Chetan Sharma Petitioner

Versus

Kurukshetra University, Kurukshetra and others Respondents

3. CWP No.13642 of 2015

Dr. Sanjeev Kumar Sharma Petitioner

Versus

State of Haryana and others Respondents

4. CWP No.8109 of 2015

Harwinder Singh and others Petitioners

Versus

State of Haryana and another Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Mr. R.K. Malik, Sr. Advocate, with
Mr. Mandeep Singh, Advocate
Mr. Kulwant Singh, Advocate,
for the petitioners.

Mr. R.K.S. Brar, Addl. AG. Haryana.

Mr. Rajinder Singh Rana, Advocate
Mr. Dheeraj Jain, Advocate,
for the respondents.

HARINDER SINGH SIDHU, J.

This common order shall dispose of the aforementioned four writ petitions since similar facts and identical issues are involved in the same.

For facility of reference, facts are being taken from CWP No.10617 of 2015.

The respondent University had advertised various posts including one post of Assistant Professor, Sanskrit in Directorate of Distance Education, Kurukshetra. The interview for the said post was held on 07/08.08.2014. The petitioners had appeared for the interview but as the proceedings of the Selection Committee were not placed before the Executive Council, the result of said selection has not been declared. Despite repeated representations filed by the petitioners for declaring the results, the same has not declared. The present petition has been filed seeking directions to the respondent University to place the proceedings of the Selection Committee before the Executive Council for approval.

In the written statement filed on behalf of respondent University, it has been stated that the interview for the post of Assistant Professor, Sanskrit in Directorate of Distance Education, Kurukshetra, University, Kurukshetra was held on 07.08.2014 and 08.08.2014 but the proceedings could not be approved by the Executive Council as the Model Code of Conduct has been enforced because of the Assembly elections. After lifting the Model Code of Conduct, the State Government had imposed a ban on filling up the vacant posts. The respondent University has sent various letters to the Director, General Higher Education, Haryana seeking clarification regarding the appointments in question but no reply was received.

In the written statement filed by the State of Haryana, it has been stated that the respondent University is an autonomous body established under the Kurukshetra University, Kurukshetra Act, 28 of 1956. As per provisions of the Act, the Vice-Chancellor of the University is the Principal Executive and Academic Officer of the University and he exercises general supervision and control over the affairs of the university. It is stated that the State Government has no role in respect of appointments to be made by the University.

In view of the stand taken by the State Government, there is no impediment in the respondent university taking a decision regarding approval of the proceedings of the Selection Committee.

Accordingly, these petitions are disposed of with the direction to respondent No.1 Kurukshetra University to place the recommendations of the Selection Committee before the Executive Council of University for taking an appropriate decision in regard to the selection. The needful be done within a period of two months from the date of receipt of certified copy of this order. If the Executive Council approves the selection and there is no other legal impediment, the selected candidates be offered appointment within two months thereafter.

28.11.2015
dkw

(Harinder Singh Sidhu)
Judge