

236

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

CWP NO. 23378 OF 2014

Date of decision: 12.03.2015

Dr. Neena Singla and another

..... Petitioners

versus

State of Punjab and others

..... Respondents

CWP No. 1400 of 2015

Dr. Lakhwinder Singh

..... Petitioner

versus

State of Punjab and another

..... Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. D.V.Sharma, Sr. Advocate with
Mr. Sukhbir Singh, Advocate
for the petitioners in
CWP No. 23378 of 2014 and
CWP No.1400 of 2015.

Mr. IPS Doabia, Advocate and
Mr. Amit Sharma, Advocate
for respondents.

Mr. Anant Kataria, AAG,Punjab.

Mr. B.M.Singh, Advocate
for respondent No. 3
in CWP No. 23378 of 2014.

Rakesh Kumar Jain.J.(Oral)

This order shall dispose of two petitions bearing CWP

No. 23378 of 2014 and CWP No. 1400 of 2015. The facts of the

case are being extracted from CWP No. 23378 of 2014(First Petition).

The prayer made in the writ petition is for the issuance of a writ in the nature of mandamus directing the respondents to hold the interview of the petitioners for the purpose of their selection/appointment as Professors out of 10% quota, meant for the Associate Professors working in the Government colleges, under the Career Advancement Scheme.

Learned Senior counsel appearing on behalf of the petitioners has vehemently argued that though the petitioners were interviewed by the Committee under the Chairmanship of Prof.(Dr.) Jamshid Ali Khan, Chairman, University Committee but they were not given enough time to present their testimonials.

Learned counsel for the respondents, however, though contested the statement of the learned Senior counsel appearing for the petitioners, yet have submitted that the petitioners could be still interviewed again, if according to them, time given to them earlier was short.

Be that as it may, in terms of the order passed by this Court on 11.12.2014, Prof.(Dr.) Jamshid Ali Khan, Chairman, University Committee is present in Court. He has submitted that he has since retired, therefore, he would not act as the Chairman of the Committee anymore and for that purpose the

Vice Chancellor of the University has to be directed to constitute a Committee with a new Chairman.

After hearing learned counsel for the parties and examining the available record, I am of the considered opinion that this dispute can be resolved by giving one more opportunity to the petitioners to appear in the interview with their testimonials. Respondent No. 3 (Vice Chancellor) is directed to constitute a Committee with a new Chairman and the said Committee would interview the present petitioners. Let the needful be done within three weeks.

Learned State counsel Shri Anant Kataria, AAG, Punjab has pointed out that besides the present three petitioners, there were about 25 other similarly effected persons who may also be given opportunity to appear before the interview Board lest this Court is burdened with petitions filed by them.

Accordingly, The State of Punjab, The Director Public Instruction (Colleges), (respondent No. 2) shall publish a notice in the English Newspaper (The Tribune) having circulation in the State of Punjab about the interview which shall be held under the present order, so that the remaining candidates may supply their testimonials to the Department of Higher Education, Punjab who would further supply them to the University, if not already

done. The University shall also fix a date for the interview which shall be intimated personally to the candidates concerned. It is directed that the entire exercise be carried out by the respondents within a period of one month from today.

In view of the above, both the petitions are hereby disposed of .

A photocopy of this order be placed on the file of the other connected case.

12th March, 2015
Shivani Kaushik

[RAKESH KUMAR JAIN]
JUDGE