

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 211

Case No. : C. W. P.No. 5100 of 2013

Date of Decision : April 20, 2015

Dr. Anshoo Malhotra Petitioner

Vs.

The Panjab University, Chandigarh
and another Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

* * *

To be referred to Reporters or not ?

Whether the judgment should be reported in the digest ?

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Present : Mr. Prateek Gupta, Advocate
for the petitioner.

Mr. Vikrant Sharma, Advocate
for respondent no. 1.

* * *

DEEPAK SIBAL, J. :

Through the present writ petition, the petitioner challenges the candidature of respondent no. 2 and in her place, seeks appointment as Assistant Professor (Bio Physics) in the respondent – Panjab University (hereinafter referred to as – the respondent University).

Learned counsel appearing on behalf of the petitioner submitted that as per the process of selection, marks for publication were to be awarded and according to him, respondent no. 2 should have been given 4.5 marks instead of 8.46 marks and if this would have been done, the petitioner would secure higher marks than respondent no. 2 and would thus get entitled to appointment to the post in question in preference to respondent no. 2.

On the above issue, the respondent University has filed a written statement, wherein it has been stated that the issue with regard to the award of the marks, as granted to respondent no. 2, has been re-examined by a committee consisting of Shri Sat Pal Jain, Senior Advocate, Prof. R. P. Bhambha, Former Vice Chancellor of the respondent University, Prof. R. K. Pathak, Department of Anthropology, Prof. Naval Kishore, Department of Geology and Dean College Development Council, Dr. Mohd. Khalid, Fellow, Department of Evening Studies, Prof. A. K. Bhandari, Registrar of respondent University and after going through the entire record of selection, as also the contents of the representation made by the petitioner in this regard, it is found that there was no irregularity in the selection process and that the marks granted to respondent no. 2 were found to be fully justified. A report of the Committee has also been placed on record as Annexure R-1/3, wherein it has been found as under :-

“The representation of one

Dr. Anshoo Malhotra (one copy was also received from the o/o Hon'ble Vice-President of India and Chancellor Panjab University) was read out. It was noted that the Dr. Anshoo Malhotra has pointed out that Dr. (Ms.) Pavitra Ranawat, one of the selected candidate, has given incorrect information in her application with regard to impact factor of her two publications.

It was verified that Dr. Pavitra Ranawat has not mentioned impact factor 6 for any of her publication in the application, as alleged by the complainant. The variation of impact factor 2.168 vis.a.vis. 2.1 makes no difference in the marks awarded for publications etc.

Professor R. K. Pathak (member of this Committee), who also happened to be the member of the Selection Committee informed that the selection committee has awarded marks to all the candidates on the basis of relevant

documents submitted by them.

*In view of above, it was unanimously **RESOLVED** that there was no irregularity in the selection process and the Vice-Chancellor may proceed further in the matter as per the authorization given by the Senate, as per law.”*

To the above written statement, there is no rejoinder filed on behalf of the petitioner. Even the report placed on record as Annexure R-1/3, which specifically considers and rejects the representation filed by the petitioner, has not been challenged. Even otherwise, a Committee of Experts has found that the marks given to respondent no. 2 with regard to her publications are correct and even if the alleged variations are considered, the same would not impact the result.

No other point was argued on behalf of the petitioner.

In view of the above, finding no merit in the present writ petition, I order dismissal of the same, with no order as to costs.

**(DEEPAK SIBAL)
JUDGE**

April 20, 2015
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