

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.9507 of 2015

Date of Decision: May 14, 2015

Rajinder Singh and others

.....Petitioners

versus

Guru Nanak Dev University, Amritsar and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Raman Sharma, Advocate, for the petitioners.

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1. Whether Reporters of Local papers 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?

Surya Kant, J. (Oral)

The decision of Guru Nanak Dev University, Amritsar in approving the recommendations made by the Regulation Committee, whereby 50% posts of Assistant Engineers in the University have been decided to be filled up by direct recruitment, is being impugned by the petitioners who are serving the University as Junior Engineers and are also holding current duty charge of the posts of Sub Divisional Engineers/Assistant Engineers.

We have heard learned counsel for the petitioners.

In our considered view, there is no violation of the petitioners' fundamental rights so far as the decision of the University to fill up 50% posts by direct recruitment is concerned. It is the prerogative of the Rule Making Authority to decide the modes of recruitment in larger administrative

interest. It is equally well known that with a view to infuse young talent in the cadre, the Competent Authority resort to 'direct recruitment' also. The petitioners or other Junior Engineers have not been stagnated as the remaining 50% posts are required to be filled up by promotion from amongst the Junior Engineers on seniority-cum-merit basis through the Screening Committee. The challenge to the decision to make direct recruitment is thus rejected.

As regard to the petitioners' claim for promotion against the existing vacancies, we grant them liberty to approach the University authorities by way of a comprehensive representation which shall be considered by the authorities within a period of three months from the date of its submission. In case the grievance of the petitioners still remains unredressed, they may avail the appropriate recourse.

With liberty afore-mentioned, the writ petition stands disposed of.

[SURYA KANT]
JUDGE

May 14, 2015
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[P.B.BAJANTHRI]
JUDGE