

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

LPA No. 1082 of 2015 (O&M)

DATE OF DECISION : 23.07.2015

Dr. Narinder Singh

.... APPELLANT

Versus

Vice Chancellor, Guru Nanak Dev University, Amritsar and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Naresh Jain, Advocate,
for the appellant.

* * *

SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 27.05.2015 passed by the learned Single Judge, whereby the writ petition (CWP No. 9443 of 2012) filed by the appellant challenging the appointments of respondents No.6 and 7 to the post of Assistant Professors in Psychology, by Guru Nanak Dev University, Amritsar, has been dismissed.

Though there is delay of 8 days in filing the instant appeal, and the appellant has filed an application (CM No. 2066-LPA of 2015) for condoning the said delay, yet we have heard learned counsel for the appellant on merits and have gone through the impugned order passed by the learned Single Judge.

It is clear from the impugned order that during the hearing of the writ petition, the appellant had given up his challenge to the appointment of respondent No.6 to the post of Assistant Professor in Psychology. Before the learned Single Judge, the appellant only challenged the appointment of respondent No.7 on the ground that while making the impugned selections, proper selection procedure was not followed and the criteria adopted by the official respondents was subjective but not objective. The learned Single Judge, after considering the submissions made by learned counsel for the appellant has come to the conclusion that while making the impugned selections, the official respondents have followed the criteria as per the guidelines of the University Grants Commission and marks to the selected candidates as well as to the appellant and other candidates were awarded according to the said criteria. It has been further observed that the interviewing panel was comprised of experts in the field, who after adjudging the relative merit of each candidate have marked them. In the absence of any allegation of mala fides, nepotism or favouritism, there was no scope to interfere with the decision of the experts, on the basis of the selection criteria adopted by the respondent University.

We do not find any illegality in the said observations made by the learned Single Judge.

Learned counsel for the appellant argued that in the earlier selection, the appellant got more marks. Be that as it may, the marks

obtained by a particular candidate in different selection processes may vary depending upon his/her performance. Securing of more marks in an earlier selection is not a criteria for appointment in a subsequent selection process. The performance of the appellant before the interviewing panel in the impugned selection may not have been good. Thus, we are not inclined to interfere with the impugned order passed by the learned Single Judge.

No merit. Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

July 23, 2015
ndj

(HARINDER SINGH SIDHU)
JUDGE