

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

CWP No.1739 of 2016
Date of Decision : 25.10.2016

Jagpal Singh

..... Petitioner

versus

Central University of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Jagbir Malik, Advocate
for the petitioner.

Mr. Sajjan Singh Malik, Advocate
for the respondents.

Anupinder Singh Grewal (Oral)

The petitioner has challenged the criteria of short listing adopted by the respondents for selection to the post of Assistant Professor.

Learned counsel for the petitioner has contended that in terms of the previous criteria as advertised vide advertisement No.1/14, the petitioner was eligible for short listing. The criteria was changed by the respondents which rendered the petitioner ineligible.

On the contrary, learned counsel for the respondents submits that selection could not be completed in terms of the previous advertisement issued in the year 2014 in view of the directions of the Ministry of Human Resource Development that the Acting Vice Chancellor is not competent to

carry out the regular recruitment. The respondents had then issued a fresh

advertisement on 03.07.2015 wherein as per the criteria laid down the petitioner was ineligible.

I have heard learned counsel for the parties.

It is manifest from the perusal of the writ petition that the previous advertisement was issued by the respondents on 05.09.2014. The criteria of short listing was prescribed as 25 marks each for academic qualification and research work. The appointment in terms of this advertisement could not be made as the Ministry of Human Resource Development directed the respondents-University not to carry out the regular recruitment till the appointment of regular Vice Chancellor. Indisputedly, no candidate was short listed in terms of advertisement issued in the year 2014. The Vice Chancellor was appointed on 16.04.2015 which relieve the Acting Vice Chancellor from the discharge of his responsibility. The respondents, thereafter, issued a fresh advertisement on 03.07.2015 wherein the criteria for short listing was prescribed as 33 marks for academic qualification and 10 marks for research work.

It is open to the respondents to prescribe the criteria for short listing until and unless this Court comes to the finding that the criteria adopted by the respondents is wholly arbitrary or in violation of rules and instructions applicable thereto. It cannot go into the nature of the criteria adopted by the respondents. Laying down the criteria for short listing would be exclusively within the domain of the academic experts. After no recruitment had been carried out in terms of the previous advertisement, it was open to the respondents to prescribe the criteria for short listing which may have differ from the criteria prescribed in the previous advertisement.

The petitioner has not been able to lay out any foundation for this Court to arrive at the conclusion that the criteria adopted by the respondents is arbitrary or illegal. Therefore, I do not find any merit in the instant petition, which stands dismissed.

**(ANUPINDER SINGH GREWAL)
JUDGE**

**October 25, 2016
jt**

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No