

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

CWP No. 2731 of 2013

Date of decision : 28.03.2016

Rajesh Kumar

...Petitioner

versus

State of Haryana & ors.

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Neeraj Kumar, Advocate
for the petitioner.

Mr. Keshav Gupta, AAG, Haryana

RITU BAHRI , J.

Challenge in the instant writ petition is to the advertisement at Annexure P-3 issued by the Pt. B.D. Sharma University of Health Sciences, Rohtak, whereby two posts of Assistant Professor (Clinical Psychology) had been advertised. Counsel contends that the essential qualifications prescribed for the post are M.Phil + two years teaching experience as Lecturer or as Clinical Psychologist in the Department of Clinical Psychology + two research publications with Ph.D. being a desirable qualification. It has been asserted that the petitioner holds the qualification of M.Phil/Ph.D. in Clinical Psychology from Maharishi Dayanand University, Rohtak. However, he has been

rendered ineligible in the light of the impugned advertisement on account of a condition which states that a degree of under graduate/post graduate/M.Phil etc. not recognized by the RCI would render the candidate ineligible.

Counsel would refer to the Haryana Medical Education Service (Amendment) Rules, 2007 which would govern the post of Assistant Professor (Clinical Psychology), in which there is no such stipulation of the degree of M.Phil/Ph.D. being recognized by the RCI. As such, the precise argument that has been raised is that the impugned advertisement runs contrary to the statutory rules governing the post of Assistant Professor (Clinical Psychology).

On notice, a written statement has been filed on behalf of respondent No. 3 stating therein that on being requested by Sr. Prof & Head Deptt of Psychiatry, PGIMS, Rohtak, the qualification and experience for the post of Teacher (Assistant Professor) in Clinical Psychology (sanctioned for three years only) for Centre of Excellence in Psychiatry Department were changed and approved by the Executive Council of U.H.S Rohtak well before conducting the interviews. The qualification and experience for the post of Teacher (Assistant Professor) in Clinical Psychology were changed as per norms of Rehabilitation Council of India, which were duly approved by the Executive Council, the supreme Authority in its 16th meeting held on

25.03.2013 at agenda item No. 13 (R-1). The petitioner does not have the requisite qualification and hence he was not eligible for the post of Assistant Professor in Clinical Psychology.

In view of the reply filed by the respondents, no ground is made out for quashing the advertisement No. 12/2012 (P-3).

The petition stands dismissed being devoid of any merit.

(RITU BAHRI)
JUDGE

28.03.2016

G Arora