

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

**CWP No.24808 of 2016 (O&M)
Date of decision : December 09, 2016**

Dr. Gunjeet Singh Sandhu

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Vivek Sharma, Advocate for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Short reply by way of affidavit of Dr. Manjit Kaur Mohi, Director Research & Medical Education, Punjab on behalf of the State-respondent Nos.1 and 2 has been filed in the Court today and the same is taken on record.

It comes out that the respondents had issued advertisement for filling up the posts of Assistant Professors from two categories i.e. Specialty and Super Specialty.

The grouse of the petitioner is that he belongs to the category of Specialty and has not been called for interview, whereas the interview for the category of Super Specialty is taking place and if the result of super specialty is declared, they became senior to him.

In the written statement, the respondents have taken the stand that the interview is being conducted in phases as decided by the Selection Committee. Phase-I interview has been conducted on

04.12.2016 for eight Super Specialty Branches. Rest of the specialties will be covered in the next phase as and whenever decided by the selection committee.

It has been further revealed that the petitioner has applied from the category of Specialty of Surgery.

It is further undertaken in the written statement that the result of both the phases will be declared at one time.

Learned State counsel, on instructions from Dr. Jasbir Singh, Nodel Officer, has undertaken before this Court that the petitioner will be called for interview in the Specialty category and that result of both the categories will be declared on the same day, so that the seniority dispute does not arise.

The apprehension of the petitioner is that if the second phase of the interview of Specialty category is further delayed, the code of conduct in the State of Punjab will come in force and the respondents would not be in a position to declare the result.

Therefore, keeping in view the totality of the facts and circumstances, the present petition is disposed of as per undertaking given by the respondents that the petitioner shall be called for the interview of the Specialty category and the result of both the categories for the post of Assistant Professors shall be declared on the same day.

Keeping in view the fact that the code of conduct is likely to be come into force in the coming days, the respondents are directed to fix an early date for interview of phase-II by calling the eligible candidates of Specialty category and conclude the same expeditiously. Thereafter, declare the result expeditiously.

However, if in the meanwhile, the code of conduct comes into force in the State of Punjab, the respondents shall apply to the Election Commission for giving relaxation so as to enable them to declare the result and if such eventuality arises, the Election Commission will consider the request of the respondents sympathetically.

As such, the present petition is disposed of.

(KULDIP SINGH)
JUDGE

December 09, 2016

sarita

Whether speaking / reasoned Yes

Whether Reportable: No