

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

CWP No.17877 of 2014

Date of Decision:10.05.2017

Virender Singh Malhan

... Petitioner

Vs.

State of Haryana and another

... Respondents

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

Present : Mr. Raj Kapoor Malik, Advocate for the petitioner.

Mr. Ravi Partap, A.A.G. Haryana.

P.B. BAJANTHRI J. (Oral)

The petitioner has sought for the following direction:

“IV) Issue a writ in the nature of mandamus directing the respondent No.1 to insert the essential qualification prescribed by the University Grant Commission vide UGC Regulation 2000 and UGC Regulation 2010 (Annexure P-1) for the appointments of Deputy Director/Principal in Government Colleges by way of amendments in the Appendix-B of Rules notified dated 11.04.1986, namely the Haryana Education (College Cadre) Group A Service Rule and subsequently amended rule notified dated 29 July 2005, (Annexure P-2) on the ground that essential qualification prescribed by the respondent state in the said Rules are contrary to the qualifications prescribed by the University Grant Commission vide U.G.C. Regulation 2000 and UGC Regulation 2010 (Annexure P-1) for the appointment of Deputy Director/Principal of the Govt. Colleges.

v) Further to issue a writ in the nature of mandamus directing the respondent state to filled up the posts of Deputy Director/principal of Govt. College by way of direct appointment/by promotion, strictly as per the qualifications prescribed by UGC Regulation 2000 and Regulation 2010 (Annexure P-1) during the pendency of this writ petition and to

make the selection and appointments or promotions accordingly; till the rules Notified dated 11.4.1986 namely the Haryana Education (College Cadre) Group A Service and subsequently amended rule notified dated 29.7.2005 (Annexure P-2) is not amended as per UGC Regulation 2000 and UGC Regulation 2010 and same are legally binding over the state.”

In this regard, petitioner has submitted representation dated 8.6.2012 (Annexure P-9) and he is relying on two decisions of this Court passed in CWP No.24447 of 2012; decided on 5.3.2015 (Annexure P-6) and CWP No.2386 of 2014 decided on 19.2.2014 (Annexure P-7).

Accordingly, first respondent is hereby directed to take a decision on the petitioner's representation so also consider whether decisions passed by this Court in CWP No.24447 of 2012; decided on 5.3.2015 (Annexure P-6) and CWP No.2386 of 2014 decided on 19.2.2014 (Annexure P-7) are applicable to the petitioner's grievance or not. After taking a decision, the same shall be communicated to the petitioner within a period of eight weeks from today.

With the above observation, petition stands disposed of.

10.05.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**