

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.14854 of 2017 (O&M)
Date of Decision: 12.07.2017

Jaspal Singh Randhawa

--Petitioner

Versus

Guru Nanak Dev University, Amritsar
and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Amit Jhanji, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus for directing the respondent-Guru Nanak Dev University, Amritsar to allow the petitioner to function on the post of Principal in one of its constituent colleges i.e. Guru Nanak Dev University College, Jalandhar till such time such post is not filled up on a regular basis.

Having heard counsel for the petitioner at length, this Court is of the considered view that no basis for interference and to accept the prayer of the petitioner is made out.

Placed on record at Annexure P-5 along with the petition is an order dated 17.6.2016 and in terms of which the petitioner was appointed as Principal of the college at Jalandhar purely on contractual basis for a period of one year. As per clause 3 of such appointment letter such contractual arrangement was extendable up to the age of 65 years subject to good performance and conduct.

Undisputedly, the one year tenure of contractual arrangement on the post of Principal has since expired. The contention raised by the

counsel that the petitioner is to attain the age of 65 years on 4.9.2017 and he be permitted to continue till such point of time, cannot be accepted. Such prayer and claim is not founded on the strength of any statutory provision or for that matter any executive instructions issued by the respondent university.

It is not even the case set up on behalf of the petitioner that the contractual arrangement by virtue of which he was appointed as Principal of the college has now been assigned to another contractual employee.

At this stage, Mr. Amrit Paul, Advocate, standing counsel for Guru Nanak Dev University, Amritsar and who was present in Court, was called upon to seek instructions as regards vesting of the charge of the post of Principal. Mr. Amrit Paul having taken telephonic instructions, informs the Court that the senior most teacher in the college has already been vested the officiating charge of the post of Principal.

In view of the facts and circumstances noticed herein above, no interference in the matter is called for.

Petition, accordingly, is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

12.07.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	No