

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

CWP No. 17292 of 2017
Date of decision: 04.08.2017

Raman Kumar Tuli

....Petitioner(s)

Versus

Panjab University

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Saurabh Arora, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks quashing of the meeting note dated 27.10.2009 (Annexure P-8) only to the extent of quashing of the noting made by Assistant Registrar of the respondent-University, on the basis of which, the Chairperson of the Committee closed the file of the petitioner after marking it as “*Seen*”.

It is the case of the petitioner that a specific recommendation was made by the Vice Chancellor of the University for including the name of the petitioner for designation as Assistant Professor. Resultantly, a writ in the nature of mandamus is also sought for designating the petitioner to the said post w.e.f. 03.03.2010, the date from which persons junior to him were designated to the post of Assistant Professor alongwith all consequential benefits.

The case of the petitioner is that he was appointed to the post of Technical Officer in the Energy Research Centre, Panjab University, Chandigarh on 26.12.1996 and in view of the applications invited from all eligible employees for designating them as Lecturers, his case had been

considered on 27.10.2009 by the Committee and there were as many as 4 applicants whose cases were subject matter of designation. He has referred to various notings on the minutes (Annexure P-8) to submit that even the Chairman of the Committee had recommended after discussion with Vice Chancellor for including the name of the petitioner since he was also qualified and fulfilled the condition. It is his case that other candidates have been duly designated whereas his name has been left out. The said information has been allegedly obtained by virtue of applications filed under the Right to Information Act, 2005. It is, in such circumstances, a direction is sought on the ground that his case, in principle, was approved but there was a noting as such by the Assistant Registrar that he did not have the desired experience. He further submits that he has not been communicated any reasons for not granting him the designation also.

Counsel submits that representation dated 02.06.2017 (Annexure P-10) has already been made to the Vice Chancellor of the respondent-University regarding the said aspect but the same has not been decided. Counsel further submits that he would be satisfied if a direction is issued to the Vice Chancellor to decide the representation within a fixed time frame.

Keeping in view the above, this Court is of the opinion that the reply of the respondents at this stage is not required as it will only delay the decision making further. The request of the counsel for the petitioner that the matter be decided by the Vice Chancellor in view of the notings is well justified.

Without commenting on the merits of the case or the entitlement of the petitioner for the abovesaid relief and keeping in view the

fact that the matter is still pending consideration, the present writ petition is disposed of with direction to the Vice Chancellor of the University to take a decision on the representation dated 02.06.2017 (Annexure P-10) within a period of 2 months from the date of receipt of certified copy of the order. Needless to say if the benefit is to be declined, a reasoned order be passed and the same be conveyed to the petitioner.

04.08.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No