

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-26807-2017 (O&M)
Date of decision:28.11.2017

Teachers Association of Central University of Haryana

....Petitioner

Versus

Central University of Haryana and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. Sumit Sangwan, Advocate for the petitioner.

P.B. Bajanthri, J. (Oral)

In the instant writ petition, petitioner is an Association and its members are in the cadre of Assistant Professor. They are challenging the employment notice dated 24.10.2017, corrigendum dated 01.11.2017, EC Minutes and Ordinance dated 18.08.2017 and notice for interview dated 20.11.2017 vide Annexures P1 to P4 respectively.

The respondent-University is proceeding to fill up Academic Consultant/Academic Advisor posts for which members of the petitioner-association have no locus standi as long as their service conditions are not affected. Learned counsel for the petitioner relied on three decisions titled as ***Meera Massey versus S.R.Mehrotra*** reported in 1998(1) SCT 727, ***The Scholars and Teachers Action Committee (STAC), Andhra University, rep. by its Convenor, Sri Ch.Pavana Murthy, Andhra University Campus, Visakhapatnam and others versus Andhra University represented by its Registrar, Visakhapatnam and others*** reported in 1996(2)An.WR477 and ***Teachers Association MNNIT, Allahabad and another versus Union of India and others*** reported in 2015(4) ADJ 497.

First decision is relating to public interest litigation; second decision is relating to service conditions which were affected therefore, they have a locus standi; third decision wherein locus standi issue was not raised and decided. Thus, the aforesaid decisions are not helpful to the petitioner insofar as maintaining the locus. If the petitioners are of the view that the respondent-university are converting the post of Associate Professor and Professor to that of Academic Consultant/Academic Advisor in that event there would be violation of rules of recruitment or regulation governing the post of Associate Professor and Professor. If such a conversion of posts were made by the respondent-university by issuing necessary amendment to the rules of recruitment/regulation to the post of Associate Professor and Professor in that event they have locus. Perusal of the records, it is evident that the university has not amended the relevant regulations so as to convert the post of Associate Professor and Professor to that of Academic Consultant/Academic Advisor. Therefore, the posts of Associate Professor and Professor are intact to fill those posts. In view of these factual aspects, petitioners have no locus to question impugned procedure to fill up Academic Consultant/Academic Advisor.

Accordingly, CWP stands dismissed.

28.11.2017

pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasons: Yes/No

Whether Reportable: Yes/No