

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

Date of decision: 10.12.2018

CWP No.10981 of 2016

1.

Dr. Nidhi Bishnoi

...Petitioner

Versus

**Lala Lajpat Rai University of Veterinary and Animal Sciences, Hisar
and others**

...Respondents

2.

CWP No.12961 of 2016

Dr. Nidhi Bishnoi

...Petitioner

Versus

**Lala Lajpat Rai University of Veterinary and Animal Sciences, Hisar
and another**

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Sardavinder Goyal, Advocate,
for the petitioner.**

Ms. Palika Monga, DAG, Haryana.

**Mr. Bhpinder Malik, Advocate,
for respondent Nos. 3 to 5 (in CWP-10981-2016).**

Ritu Bahri, J.

**This order shall dispose of CWP No.10981 of 2016 and CWP
No.12961 of 2016 as common questions of law and facts are involved in
both the petitions. For reference, facts are taken from CWP No.10981 of
2016.**

**On 28.05.2016, when notice of motion was issued, this Court
had observed that vide advertisement No.1/2015 issued in the month of
September, 2015, the respondent-University sought applications for**

appointment to several posts, including the post of Assistant Pfoessor (Veterinary Pathology). As per the prescribed qualifications, passing of NET examination was necessary. However, the said condition was waived off for candidates holding Ph.D degrees provided that it had been done with course work as prescribed by the University Grants Commission (UGC) regulations and the candidate has, at least, two full length publications NAAS rating not less than four on the last date of submission of the application. Petitioner was seeking direction that the University cannot exempt passing of NET examination keeping in view the judgment passed by the Apex Court in **P. Susheela and others vs. University Grants Commission and others**, 2015 (8) SCC 129. In that case, Hon'ble the Supreme Court had observed that exemption from passing of NET examination cannot be granted by the University.

In view of the above judgment, while issuing notice of motion on 28.05.2016, final results for the posts of Assistant Professor/Assistant Scientist, wherein exemption from passing of NET examination had been permitted, were ordered to be kept in abeyance.

During the pendency of these petitions, an affidavit has been filed by the Registrar, Lala Lajpat Rai University of Veterinary & Animal Sciences, Hisar-respondent No.1. In this affidavit, it has been clarified that the selection process has been completed and no candidate, who has not cleared the NET examination, would be selected keeping in view the guidelines issued by Hon'ble the Supreme Court in **P. Susheela's** case (supra). After filing of the aforesaid affidavit, interim stay granted vide order dated 28.05.2016, was vacated on 23.02.2017. Thereafter, appointment letters have been issued to the selected candidates.

In view of the said fact, no further direction is required to be given to the respondent-University as the University has already accepted that it is bound by the guidelines issued by Hon'ble the Supreme Court in the aforesaid judgment. In future also, all the affiliated colleges are bound by the aforesaid judgment.

Both the petitions i.e. CWP No.10981 of 2016 and CWP No.12961 of 2016 stand disposed of accordingly.

(RITU BAHRI)
JUDGE

10.12.2018.

ajp

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No