IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CWP No.10756 of 2018

Date of Decision:-07.05.2018

Dr. Deepak Kumar Chauhan.

.....Petitioner.

Versus

Vice Chancellor, Central University of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Sameeer Sachdeva, Advocate for the Petitioner.

Mr. K.K. Gupta, Advocate for respondent nos.1 to 3.

Mr. Manoj Bajaj, Additional Advocate General, Punjab for respondent no.5.

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JASWANT SINGH, J.(ORAL)

Petitioner is working as Associate Professor in the Department of Laws in the Central University of Punjab, Bathinda. He filed this writ petition making out a grievance that the University is unfairly proceeding against the petitioner for alleged sexual harassment complaint made by the student, which is false and unsubstantiated. It is submitted that the said proceedings were being initiated on the sheer pressure of the students and to the extreme prejudice of the petitioner.

This Court while issuing notice of motion on 02.05.2018 passed the following order:-

" *It is contended that the allegations levelled against the*

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petitioner do not fall within the definition of sexual harassment, as defined in Clause (n) of Section 2 under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and neither such complaint can be considered a statutory complaint in the light of Section 9 of the aforesaid Act, so as to warrant any further enquiry.

Notice of motion for ***07.05.2018****.*

Mr. Manoj Bajaj, Additional Advocate General, Punjab is directed to accept notice on behalf of respondent Nos. 1 to 3/Central University, Punjab, as also for respondent No. 5 (Deputy Commissioner, Bathinda).

Learned State Counsel, after accepting the notices on behalf of respondent Nos. 1 to 3 and 5, prays for time to seek instructions or filing reply.

Learned counsel for the petitioner undertakes to furnish requisite copies of the paper-book to the State Counsel during the course of day.

To be shown in the ***urgent list****.* ***”***

At the time of hearing, Mr. K.K. Gupta, Advocate appearing for the University states that the present writ petition is misplaced and that apart has become infructuous. He submits that the proceedings initiated were not under the Sexual Harassment Act, 2013. The proceedings were placed before the Grievance Committee of the University on the complaint of the students, which is on recording of the statement of the parties has taken a decision finding the complaint to be unsubstantiated against the petitioner. The complainants have been accordingly conveyed and, therefore, as on

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today there is no proceeding pending against the petition qua the allegations of the complaints referred to the in present writ petition.

In view of the above, present writ petition is hereby dismissed as infructuous.

(JASWANT SINGH)
JUDGE

May 07, 2018
Vinay

Whether speaking/reasoned	***Yes/No***
Whether Reportable	***Yes/No***

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