

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 16.04.2018****CWP No.4934 of 2018 (O&M)**

Pradeep Kumar

...Petitioner

Vs.

Maharishi Dayanand University Rohtak through its Registrar ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ravinder Singh Dhull, Advocate, for the petitioner.

Mr. Anurag Goyal, Advocate, for the respondent.

RAJIV NARAIN RAINA, J. (ORAL)

When this matter came up for hearing on 28.02.2018, the following interim order was passed:

“A novel issue has arisen in this case, where in the ‘Recruitment Portal’ uploaded on the official website of the Maharishi Dayanand University, Rohtak for direct recruitment to several posts including that of Assistant Professors, a column demands ‘Aadhaar Number’. If the Aadhaar Number is not entered, applicant cannot continue to Step-2 and, therefore, the online application will be rejected. Linking Aadhaar Number to direct recruitment should not prima facie be a mandatory condition as it by result in violation of equal opportunity clause in Article 16(1) of the Constitution of India and deny easy access to applying online for jobs.

If the Aadhaar Number is required for the purpose of thumb impressions/biometrics, then some other method could have been devised by the University even by making a provision in the software programme to enable the candidates to continue to Step-2 of the application and apply on time. Otherwise, they will be confronted with denial of

employment opportunity, which is a very serious and sacrosanct right in a country where employment opportunities are fought on war footing. The last date for applying online is today i.e. 28.02.2018.

Issue of public importance arises in this case.

Notice of motion, returnable by 28.03.2018.

In the meantime, there will be a stay on the entire recruitment process till further orders.”

On 28.03.2018, the following order was passed on an application filed by the respondent – University:

“Notice of the CM to the counsel for the other side.

Mr.Dhull accepts notice.

Mr.Anurag Goyal, learned counsel for the respondent-University states that the respondent-University has issued a corrigendum making Aadhar not compulsory and has extended the date for submission of the applications and the application of the petitioner has been received. In view of this, a fresh date would have to be fixed by the respondent-University. Mr.Anurag also states that the petitioner would be considered eligible in the selection process for the post of Assistant Professor Law.

List again on 16.4.2018.”

Today, Mr. Goyal submits that the candidature of the petitioner would be considered on merits and that corrigendum in two newspapers (Annex A-2 & A-3) notifying Aadhar not compulsory and extending the date for submission of the applications have been issued, which renders the petition infructuous.

Dismissed as having been rendered infructuous.

16.04.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>