

218

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-3872-CII-2018 in/and
COCP-507-2018

Date of Decision: February 08, 2019

Om Parkash Wadhwa

.....Petitioner

Versus

Sh.Vinay Kumar and another

.....Respondents

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.Jangjit Singh Dahiya, Advocate for the petitioner.

Mr.Kanwal Goyal, Advocate for respondent No.1.

Mr.Sajjan Singh, Advocate for respondent No.2.

.....

NIRMALJIT KAUR, J. (ORAL)

The contempt is filed for violation of the order dated 12.07.2017 vide which a direction was issued that the respondent shall not make any selection/appointment against the advertisement dated 16.02.2016 qua the posts of Assistant Professor both in Public Administration and Political Science by considering identical qualification except the one in the relevant subjects.

Learned counsel for the petitioner states that it is evident from para 8 of the reply that respondent No.2, who did not have the requisite qualification of the relevant subject, was still called for interview for appointment against the said post.

Reply perused. As per the reply, respondent No.2 has not been

appointed. It is further stated that there was no bar carrying out the

selection. The only restrain was that the posts of Assistant Professor in the subjects of Public Administration and Political Science shall not be filled by a candidate who does not have the qualification in the relevant subjects. As per the reply, the said order has not been violated, as no candidate who do not have the qualification in the relevant subject has been appointed in the two subjects.

At this stage, learned counsel for the petitioner submitted that although the respondents did not appoint any such candidate but nevertheless they considered them which too was in violation of the order dated 12.07.2017.

A perusal of the interim order shows that the direction was not to make any selection/appointment. The fact that some of them were considered does not, in any way, show violation of the order dated 12.07.2017.

Accordingly, no contempt is made out. The same is, hereby, dismissed.

The rule issued against the respondent(s) stands discharged.

February 08, 2019
meenuss

(NIRMALJIT KAUR)
JUDGE

- 1. Whether speaking/reasoned ?**
- 2. Whether reportable ?**

Yes/No
Yes/No