

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

**CWP-2475-2019 (O&M)
Date of Decision:11.02.2019**

Bhajan Lal

... Petitioner

Versus

Guru Nanak Dev University & others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. R.K. Arya, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

CM-2023-CWP-2019:

Application is allowed as prayed for. Photocopy of the affidavit dated 06.07.2018 as also copy of order dated 17.09.2018 passed by this Court are taken on record at Annexures P-4 and P-5 respectively.

Application is disposed of.

Main case:

Instant writ petition has been filed seeking a mandamus directing the respondent/Guru Nanak Dev University to allow the petitioner to join duty on the post of Assistant Professor.

The case projected on behalf of the petitioner is that he had participated in a selection process and having successfully negotiated the same was issued appointment letter dated 30.06.2018 (Annexure P-2) and inspite thereof he has not been permitted to join. Precise contention raised is that as a duly selected candidate and who thereafter has even been issued a appointment letter, petitioner would have a vested right to join on the post.

Having heard counsel for the petitioner at length and having

perused the pleadings on record, this Court is of the considered view that there is no merit in the instant petition and the same deserves to be dismissed.

Perusal of the order at Annexure P-5 dated 17.09.2018 passed by the Division Bench in **CWP-13383-2018 (Tasbir Singh & others Vs. Guru Nanak Dev University, Amritsar & others)** and other connected petitions would reveal that the University had issued advertisement bearing No.5/2018 dated 15.05.2018 seeking to make certain contractual engagements. It is such advertisement that was put to challenge in the bunch of petitions raising a plea that it is not open for the respondent/University to replace one set of contractual employees by another similar arrangement. In such connected matters, counsel representing the respondent/University made a statement that a conscious decision has been taken to withdraw the advertisement itself and consequently, the selection process that was carried out pursuant thereto has been scraped. It is under such circumstances that the writ petitions were disposed of by taking note of the statement made by counsel on behalf of the University.

The present petitioner had been issued appointment letter pursuant to the same very advertisement which has since been withdrawn and the selection process which has been scraped. It is not the case made out by counsel that any other candidate who was selected in pursuance to the advertisement dated 15.05.2018 along with the petitioner has been issued the appointment letter and is serving on the post in question on a contractual basis.

That apart, the appointment letter dated 30.06.2018 (Annexure P-2) reveals that the petitioner had been engaged on contractual basis as Assistant Professor in the subject of History and on a fixed tenure i.e. from 16.07.2018 to 15.04.2019. Petitioner vide appointment letter dated 30.06.2018 had been called upon to join duty on or after 16.07.2018 and not later than

23.07.2018.

Even though, a stand has been taken that the petitioner had made an attempt to join duty prior to the stipulated date i.e. 23.07.2018 and had not been permitted to join but no explanation is coming forth as to why the petitioner had remained quiet and has approached the writ Court in terms of filing the instant writ petition in the year 2019 only and that too, when the session for which he had been engaged is on the verge of coming to an end.

No interference in the matter is called for.

Dismissed.

11.02.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |