

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

**CWP No.15843 of 2019 (O&M)**

**Date of decision:12.09.2019**

Dr. Naresh Kumar

... Petitioner

Vs.

State of Haryana and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. Roopak Bansal, Advocate  
for the petitioner.

**AMIT RAWAL J. (Oral)**

**C.M.No.11260 of 2019**

Prayer in present application is for placing on record Annexures P-11 and P-12 i.e. advertisement for recruitment of teaching positions caused by Indira Gandhi National Tribal University for filling up various posts including Associate Professor and Assistant Professor and notification dated 11.12.2014 issued by Pharmacy Council of India.

For the reasons stated in the application which is duly supported by an affidavit, same is allowed and Annexures P-11 and P-12 are taken on record.

**CWP No.15843 of 2019**

The petitioner has approached this Court for setting aside the advertisement (Annexure P-10) for filling up the posts of Assistant Professors in the Department of Pharmaceutical Sciences alleging that

combining of the posts of Pharmaceutical Sciences was without any basis and notification Annexure P-12.

Mr. Roopak Bansal, learned counsel appearing on behalf of the petitioner submits that petitioner belongs to Scheduled Caste category and passed Matric Examination in 1996 and Senior Secondary Examination in 1999 and subsequently passed B.Pharmacy Examination under Ex-serviceman category vide Annexure P-1 and also obtained the degree of M.Pharm from Guru Jambheshwar University of Science and Technology, Hisar. In the year 2007, respondents advertised two posts of Pharmaceutical Sciences by reserving one post for SC category and one post for ESM. In 2008, again advertised two posts of Pharmaceutical Sciences with one post reserved for SC candidate and one post for ESM. The petitioner being fully eligible applied for the aforementioned post but his candidature was rejected and in this regard, petitioner made a representation dated 04.07.2016 (Annexure P-7) but no action has been taken and thus, filed CWP No.21156 of 2016 which was disposed of, vide order dated 07.10.2016 by giving directions to the respondents to pass a speaking order.

In pursuance to the aforementioned directions, respondent-University passed a speaking order dated 11.12.2016 indicating that there are 13 sanctioned posts of Assistant Professors in the Department of Pharmaceutical Sciences and also reserved posts for SC, BCA and ESM categories. However, respondents issued advertisement no.08 of 2019 wherein 10 posts of Assistant Professors in the department of Pharmaceutical Sciences have been advertised which is totally against

notification and therefore, impugned action of the respondents is not sustainable.

I have heard learned counsel for petitioner, appraised paper book and of view that there is no force and merit in the submissions of Mr. Bansal.

As per advertisement (Annexure P-10), last date for submission of the Application was February 2019. Writ petition is bereft of fact that whether the petitioner had applied for the same or not. Attention of this Court was drawn to second page of Annexure P-10 at page 27 of the paper book whereby following posts have been kept reserved in Department of Pharmaceutical Science:-

- |                             |    |
|-----------------------------|----|
| 1. Pharmaceutical           | 03 |
| 2. Pharmaceutical Chemistry | 01 |
| 3. Pharmacology             | 04 |
| 4. Pharmacognosy            | 02 |

Grievance of the petitioner is that same could not have been done as all the Pharmaceutical Teachers should possess degree from the recognized University and experience.

I am of the view that aforementioned submission sans merit and requirement of specialist, as extracted above, cannot be questioned particularly when he failed to qualify in the recruitment process in pursuance to previous advertisement of 2012. It appears to be an act of arm twisting and nothing beyond.

No ground for interference is made out.

Dismissed.

(AMIT RAWAL)  
JUDGE

September 12, 2019  
savita

|                           |        |
|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |