

CWP-15165-2019

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-15165-2019

Date of Decision: May 30, 2019

Mili Bansal Nee Gupta and ors

... Petitioners

vs.

Panjab University Chandigarh and ors

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr.R.K.Arora, Advocate, for the petitioners.

ARUN MONGA, J.(ORAL)

1. *Inter alia* contends that entire respondent-Panjab University has framed a promotion policy/Career Advancement Scheme as per University Grants Commission (UGC) Regulations for its teaching faculty. The benefit of the same is not being given to the petitioners who are the Faculty Members (Lecturers, Assistant Professor, Reader, Associate Professor, Reader) in Dr. Harvansh Singh Judge Institute of Dental Science and Hospital, Panjab University Chandigarh.
2. The ostensible reason of denial of the promotion policy is that the Dental Institute/Hospital does not come under the preview of UGC and is governed by a separate statutory body i.e. Dental Council of India, contends the learned counsel.
3. Learned counsel further submits that per letter dated 22.12.2017 (Annexure P-11) written by UGC to respondent-Panjab University, UGC clearly opined that the matter does not come under the preview of UGC. It was recommended that the same should, therefore, be followed up with the Dental Council of India. The University vide its letter dated 21.03.2018 (Annexure P-12) accordingly took up the matter with Dental Council of India but the same has not been adverted till date.

CWP-15165-2019

-2-

4. Learned counsel further points out that the petitioners have been submitting various representations from time to time as reflected from Annexure P-14 (colly) but to no avail. The petitioners eventually also caused a legal notice through their counsel hoping that the same would be adverted but yet their travails have not been addressed.

5. I am in agreement with the argument of learned counsel for the petitioners that for no fault of the petitioners they are being forced to run from pillar to post seeking finalization of the promotional policy. Owing to the usual beaurocratic red-tapism, neither the Dental Council is taking a final view on the matter nor the respondent-University. It is but natural that denial of promotion to the petitioners in absence of any promotional avenue would cause heartburn. Especially, when the other Faculty Members of University are being given the benefits of promotion policy. Inertia on the part of Dental Council and/or the Punjab University has lead to a deadlock and no promotion policy is being formulated/adopted qua the petitioners.

6. Given the nature of order being passed, no useful purpose would be served to invite the pleadings in the matter as no further proceedings are required.

7. The writ petition is disposed of with a direction to respondent No. 1 to take up the matter with respondent no.6 and take a final decision in the matter of framing the promotion policy within a period of four months from the date of receipt of certified copy of this order.

8. Disposed of in above terms.

May 30, 2019
smriti

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No