

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SMRITI
20.08.27 11:06
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CWP-19301-2014 (O&M)
Date of Decision: 20.08.2019

Shubhdip Kaur

... Petitioner

vs.

Punjabi University Patiala and Ors

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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

Mr. Ajayvir Singh, Advocate, for respondents No.1 and 2.

Mr. Ashe Kumar Goyal, Advocate, for respondent No.3-UGC.

ARUN MONGA, J.(ORAL)

CM-16766-CWP-2017

For the reasons stated in the application, the same is allowed.

Additional affidavit of the petitioner and Annexures P-39 and P-40 are taken on record, subject to all just exceptions.

CWP-19301-2014

Learned counsel for the petitioner contends that the petitioner was though eligible for applying to the post of Assistant Professor (Psychology) in the Scheduled Caste category but the Selection Committee, after interviewing the petitioner, found her unsuitable, *inter alia*, on the ground that she studied one optional paper of cognitive Psychology only in one semester while passing M.Sc. course. Studying of one paper in just one semester was not considered as an area of specialization. He further submits that the post of Assistant Professor (Psychology), Scheduled Caste category, is still lying vacant and the same has not been controverted by the learned counsel for the respondent-Panjabi University.

Without going too deep into the merits of the case, on a conjoint perusal of the pleadings, it emerges that another candidate in general category, namely, Loveleen Kaur, who had been awarded the same degree of M.Sc. from Panjabi University as the petitioner, but at the same time, she was considered suitable without objecting to her having studied the cognitive Psychology subject only in one semester as has been observed in the case of petitioner.

As regards the contention of learned counsel for the respondent-University that Loveleen Kaur has since secured more marks in the interview, therefore, she was found more suitable in the overall merit in her category, the same is of no significance as the petitioner was not competing in the general category and was to be found suitable/meritorious in her category.

In the premise, the writ petition is disposed of with a direction to the respondents that the petitioner's degree in M.Sc. (Psychology) awarded to her by Panjabi University, be treated on parity with that of Ms. Loveleen Kaur and by according the same benefit, she be considered for appointment to the post of Assistant Professor (Psychology) as per her merit in her category, in accordance with law.

Disposed of in above terms.

Let needful be done within a period of three months from the date of receipt of certified copy of this order.

20.08.2019
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(ARUN MONGA)
JUDGE

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