

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

**CWP No.16198 of 2020
Date of Decision: 05.10.2020**

Neha Miglani

.....Petitioner

Versus

National Institute of Technology, Kurukshetra and another
..... Respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Mr. Tejpal Singh Dhull, Advocate,
for the petitioner.
(The aforesaid presence is being recorded through video conferencing since
the proceedings are being conducted in virtual Court).

ARUN PALLI, J. (Oral):

The petitioner prays for a Mandamus, commanding respondent No.1 to issue a 'No Objection Certificate' ('NOC' for short), to enable her to seek admission in Ph.D course (Computer Science & Engineering [U.I.E.T.]), being conducted by Kurukshetra University (respondent No.2).

The petitioner is employed with respondent No.1 (National Institute of Technology, Kurukshetra), as temporary faculty/Assistant Professor, on contract basis in Computer Engineering Department since 28.10.2017. Pursuant to the admission notice issued by respondent No.2, she applied for Ph.D Programme in Computer Science & Engineering (U.I.E.T.). She purports to have even been selected. However, for she is in employment of respondent No.1, and being an in-service candidate, she is required to submit NOC, which is to be issued by respondent No.1. The limited grievance that she has is that even the repeated representations, i.e. dated 21.9.2020 (Annexure P-5) and 24.9.2020 (Annexure P-6), she submitted in this regard, have failed to evoke any response. Particularly, when many other candidates, who were identically situated and circumstanced as the petitioner, have since

been permitted to pursue the Ph.D courses along side their service with respondent No.1.

Notice, confined to respondent No.1 only, at this stage.

Mr. Amarjit Singh Virk, Advocate, accepts notice on behalf of respondent No.1, and submits that as the representations submitted by the petitioner are pending consideration before the respondent authorities, let this petition be disposed of, at this stage, only with a direction to respondent No.1 to consider and deal with the concerns raised by the petitioner and pass appropriate orders thereon, within a specified time.

In the wake of the above as also the statement made by learned counsel for respondent No.1, the petition is disposed of with a direction to respondent No.1 to consider and decide the claim of the petitioner, as set out in her representations (ibid), by passing appropriate orders, in accordance with law, within a week from today.

Needless to assert that this order shall not constitute any expression of opinion on merits of the case of either party.

(ARUN PALLI)
JUDGE

05.10.2020
AK Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No